

Scott Lundregan

Deputy Chief of Staff / Policy Director / Deputy Legal Counsel

House Republican Caucus

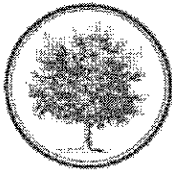
Ohio House of Representatives

614-466-1460

From: The Buckeye Institute
Sent: Tuesday, April 10, 2018 8:05 AM
To: Kasych, Shawn
Subject: The Buckeye Institute Identifies \$1.8 Billion in Tax Loopholes that Should be Closed

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THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

April 10, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute Identifies \$1.8 Billion in Tax Loopholes that Should be Closed

Columbus, OH -- The Buckeye Institute today released a list of **\$1.8 billion in tax loopholes** that should be reviewed by the Ohio's Tax Expenditure Review Committee and considered for elimination to simplify Ohio's tax code and reduce Ohio's tax rate. Eliminating these loopholes without reducing the tax rate would be a tax increase on the citizens of Ohio.

"Ohio has made progress in recent years to improve the state's tax system. Yet, more can be done to build on that success and to further strengthen Ohio's job creation climate," said Greg R. Lawson. "That is why the work of the Tax Expenditure Review Committee is so

important. By closing the loopholes we have identified, policymakers will be able use those savings to lower tax rates to keep Ohio's economy growing."

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The Buckeye Institute recommended closing **20 loopholes** that total \$1.8 billion in savings which should be used to reduce Ohio's tax rate, including:

- The notorious NetJets loophole for those who buy shares of corporate jets;
- The **motion picture tax credit**, which has been **eliminated** in other states;
- Credits for political campaign contributions; and
- The job retention and creation tax credits that favor one business over another.

Tax expenditures, or loopholes, no matter how well intentioned, add complexity to Ohio's tax code and favor specific groups over others. As outlined in Buckeye's *Tax Reform Principles for Ohio*, a simpler, flatter tax code that allows all businesses to compete on an equal playing field should be the goal of Ohio policymakers.

The Buckeye Institute **first called for the creation of the review committee** in 2011, when, along with the Center for Community Solutions and the Greater Ohio Policy Center, it identified **20 loopholes** that should have been closed.

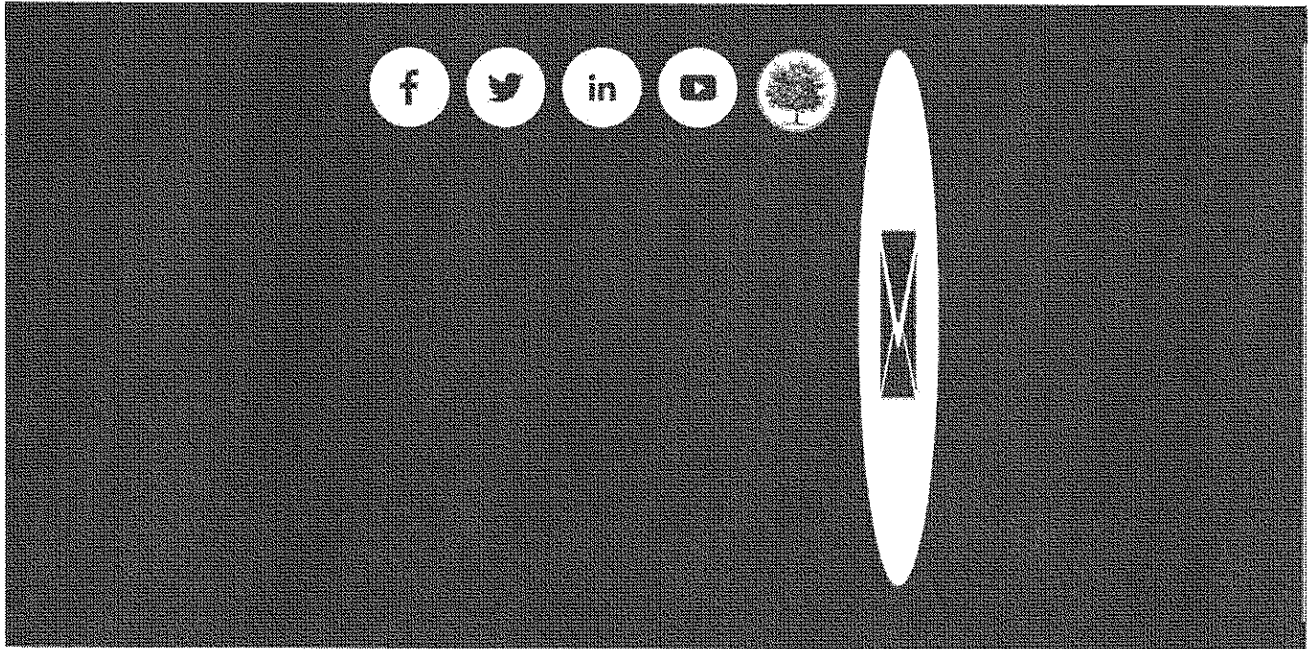
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Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.

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The Buckeye Institute, 88 East Broad Street,
Suite 1120, Columbus, OH 43215

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Sent by info@buckeyeinstitute.org

From: William Reineke
Sent: Tuesday, April 10, 2018 10:41 AM
To: Lundregan, Scott; latoursm@gmail.com; Kasych, Shawn; myers_marisa@yahoo.com
Subject: Fwd: whip for 4 11

Sent from my iPhone

Begin forwarded message:

From: Scott Wiggam <swiggam@gmail.com>
Date: April 10, 2018 at 8:42:23 AM EDT
To: William Reineke <william.reineke@drivereineke.com>
Subject: Re: FW: whip for 4 11

Hi Bill - sorry this is late...

HB 131 - yes
HB 135 - yes
HB 263 - yes
HB 360 - No
HB 378 - uncertain
HB 211 - No
HB 508 - No
HB 489 - Yes
HB 318 - Yes

Scott Wiggam

On Mon, Apr 9, 2018 at 5:02 PM, William Reineke
<william.reineke@drivereineke.com> wrote:

The whips look good for this week, but would like to include yours!

Whipping on the following 11 bills or resolutions!

Thank you,

Bill Reineke, 419-934-7387

Tuesday, April 10, 2018

Caucus 7:00 – 9:00 PM

Wednesday, April 11, 2018

Caucus 12:30 – 1:30 PM

Session: 1:30 PM

Bills for Third Consideration

- House Bill 131 -- Reps. Gavarone, Reineke -- Reported out of Health (15-0)
 - o To modify the laws governing the practice of physical therapy

- House Bill 135 -- Rep. Patmon -- Reported out of State and Local Government (14-0)
 - o To designate June 12th as "Superman Day."

- House Bill 263 -- Rep. Lanese -- Reported out of Economic Development, Commerce and Labor (9-5, Brinkman, Lipps)

o To generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation

- House Bill 360 – Rep. Greenspan – Reported out of Education and Career Readiness (10-7, Hood)

o Enact Ohio Anti-Bullying and Hazing Act

- House Bill 378 -- Reps. Smith, Cera – Reported out of Finance (25-3, Butler, Romanchuk, Thompson)

o To create the Ohio Broadband Development Grant Program and to make an appropriation

- House Resolution 193 – Reps. Antonio, Strahorn – Reported out of Federalism and Interstate Relations (9-0)

o A resolution urging Congress to award a Congressional Medal of Honor to the late Senator John Glenn and Mrs. Annie Glenn

- House Resolution 299 – Reps. Young, Ginter – Reported out of State and Local Government (13-0)

o To recognize the efforts and successes of the faith-based community in supporting and assisting individuals who are suffering from opioid and other drug abuse and addiction

- House Bill 211 -- Rep. Hughes – Reported out of Economic Development, Commerce and Labor (12-2, Dean, Hood)

o To require the licensure of home inspectors and to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors

- House Bill 508 – Reps. Ryan, Reineke – Pending in Finance

o To establish the OhioCorps Pilot Project and to make an appropriation

- House Bill 489 – Rep. Dever – Reported out of Government Accountability and Oversight (7-3)

o Address financial institution regulation and consumer protection

- House Bill 318 (LaTourette/Patterson) passed out of the Education and Career Readiness Committee unanimously last month. It establishes qualifications and training requirements for school resource officers and permits those officers to provide a specified range of services to school districts and schools. It also requires a school resource officer to complete 40 hours of specialized training. There was no opposition to the bill.

House Bill 318 is currently in the Finance Committee and will be amended to include a one-time school safety training grant of \$10 million dollars. I've included the details of the grant below.

School Safety Training Grants, shall be used by the Attorney General solely to make grants to both public and chartered nonpublic schools for school safety programs and training. The use of the grants

includes, but is not limited to, all of the following: (1) The support of school resource officer certification training; (2) Any type of active shooter and school safety training; (3) All grade level type educational resources; (4) Training to identify and assist students with mental health issues; (5) Any other training related to school safety.

Snapshots

House Bill 131

HB 131 modifies the activities that may be performed by a physical therapist. Under current law, a physical therapist can evaluate and assess, but not diagnosis. HB 131 specifies that physical therapists can determine 1.) a physical therapy diagnosis to treat physical impairments, functional limitations, and physical disabilities, 2.) a prognosis, and 3.) a plan of therapeutic intervention. The bill specifically states that a “physical therapy diagnosis” does not include a medical diagnosis.

In Ohio, physical therapists can treat patients without a referral from a physician. Also unchanged by the bill, physical therapists are still required to refer patients to another healthcare provider if the patient’s condition is outside their scope of practice. HB 131 simply aids in determining a physical therapy diagnosis and a course of therapeutic intervention or referral to another provider.

A number of witnesses originally testified as opponents to the bill including the Ohio State Medical Association, the Ohio Academy of Family Physicians, the Ohio Osteopathic Association, and the Ohio Orthopaedic Society. However, the final version of the bill stripped provisions to which they objected. To the best of our knowledge, these groups are now all interested parties.

HB 131 is supported by the Ohio Physical Therapy Association and was reported by the Health Committee unanimously.

House Bill 263

Many consumers are interested in spending more time with their canine companions, and our businesses respond by marketing to these individuals through pet-friendly spaces or events. With the rise of pet-friendly establishments, HB 263 allows restaurants to cater to this demographic by permitting dogs on their outdoor patios if the restaurant chooses.

Under current administrative code, restaurants cannot permit dogs on their patios. However, in many places, this restriction was unenforced. HB 263 will give restaurants the option to allow patrons to bring their dogs while ensuring proper health standards. The bill gives the Departments of Agriculture and Health the ability to develop rules, including rules that specifically prohibit an employee from touching a dog, require the use of single-use dining ware for serving food or water to a dog, and require signage that dogs are permitted in the area.

Additionally, HB 263 specifies that a person who brings a dog to an outdoor dining area is liable for any damage that the dog causes.

HB 263 is supported by the Ohio Restaurant Association, the Humane Society, and various other organizations. It was reported by the Economic Development, Commerce, and Labor Committee 9-5 with Reps. Brinkman and Lipps voting "no."

House Bill 360

Ohio law requires public schools to adopt anti-bullying policies that prohibit "bullying, harassment, or intimidation" of another student, address disciplinary responses for violations, and set reporting requirements. HB 360 seeks to strengthen the anti-bullying statute, while providing schools with flexibility to address issues.

HB 360 allows schools to institute tiered suspensions based on the number of bullying incidents: the first offense would be up to 10 days suspension, the second would be up to 30 days, and the third

would be up to 182 days. The school could also prohibit a bully from participating in extracurricular activities.

Additionally, the bill specifically permits a school to develop a community service plan for the bully and offer counseling and/or support for the bully and victim. HB 360 requires the State Board of Education to review best practices and requires state institutions of higher education to adopt policies regarding bullying and harassment.

Several changes were made to the bill in committee that focused on providing local school districts more flexibility and control over dealing with cases of bullying on an individual basis. The committee also accepted an amendment that exempted independent and private schools from the provisions of the bill.

HB 360 was reported by the Education and Career Readiness Committee 10-7 with Rep. Hood voting "no."

House Bill 378

HB 378 seeks to incentivize the build-out of broadband service in areas of Ohio that do not have access to broadband internet and strengthen the connectivity of the state. The bill appropriates \$50 million in FY 2018-2019 to fund the newly created Ohio Broadband Development Grant Program under the Development Services Agency (DSA). The money will be used to award grants for infrastructure projects that extend broadband service to unserved areas of the state.

Of the total funding appropriated in each year, \$49 million will be used for grants and the remaining \$1 million will be used by DSA to contract to do broadband research, testing, analysis, and community engagement and planning. The source of the funding is money in the Third Frontier Research and Development Fund. Political subdivisions, private businesses, nonprofits, and cooperatives are all eligible for grants under the program.

The bill has various proponents including local government groups, the Ohio Farm Bureau, the Ohio Library Council, Connect Ohio, Mid-Ohio Regional Planning Commission, the Ohio Valley Regional

Development Commission, and others. Ohio Cable Telecommunications Association is an opponent. The bill was reported by the Finance Committee with Reps. Butler, Romanchuk, and Thompson voting = 2no.”

House Bill 211

To ensure consumers are getting the value they expect in their home, HB 211 requires the licensure of home inspectors and creates the Ohio Home Inspector Board.

Thirty states – including Indiana, Kentucky, Pennsylvania, and West Virginia – require home inspectors to be licensed. HB 211 will give homebuyers more trust in the expertise of home inspectors when purchasing a home.

HB 211 is supported by the Ohio Association of Realtors and the American Society of Home Inspectors. The bill is opposed by Nemastil Home Inspections, the HomeSpection Training Institute, and Americans for Prosperity. It was reported by the Economic Development, Commerce, and Labor Committee 12-2 with Reps. Dean and Hood voting “no.”

House Bill 508

As another tool combat the opioid epidemic in Ohio, HB 508 is a pilot program aimed at helping high-risk, low-income students succeed and move on to the next phase of their educational career.

HB 508, or OhioCorps, is a mentorship pilot program that pairs college students with at-risk youth to ensure high school students are getting the support they need and guidance toward a pathway to higher education. College students receive a stipend for their mentorship and mentees receive a \$1,000 scholarship upon completion of the program, meeting certain requirements. “At-risk” students eligible for the program are at least 13 years of age and have an expected family contribution of \$0 or have been impacted by family opioid addiction.

The program will be administered by state universities, community colleges, and technical colleges. The bill appropriates \$2.5 million from the General Revenue Fund for the program.

HB 508 has no opponents at this time. It is currently pending in the Finance Committee.

House Bill 489

HB 489 reforms Ohio's financial institutions regulatory framework and adds layers of consumer protection. The goal is to provide opportunities for Ohioans by creating a friendly environment for acquiring capital.

After the Great Recession, the federal government increased regulatory requirements on depositories – this had an unintended impact on smaller banks and credit unions and many were forced to close. HB 489 gives some regulatory reliefs to banks and credit unions, while ensuring consumers have appropriate protections.

Among other provisions, the bill allows financial institutions meeting certain asset and ratings requirements to go longer periods between regulatory examinations. Additionally, HB 489 allows financial institutions to report, to the regulators and consumers, and correct bona fide errors; if the institution offers reasonable restitution, it would be held harmless for the error.

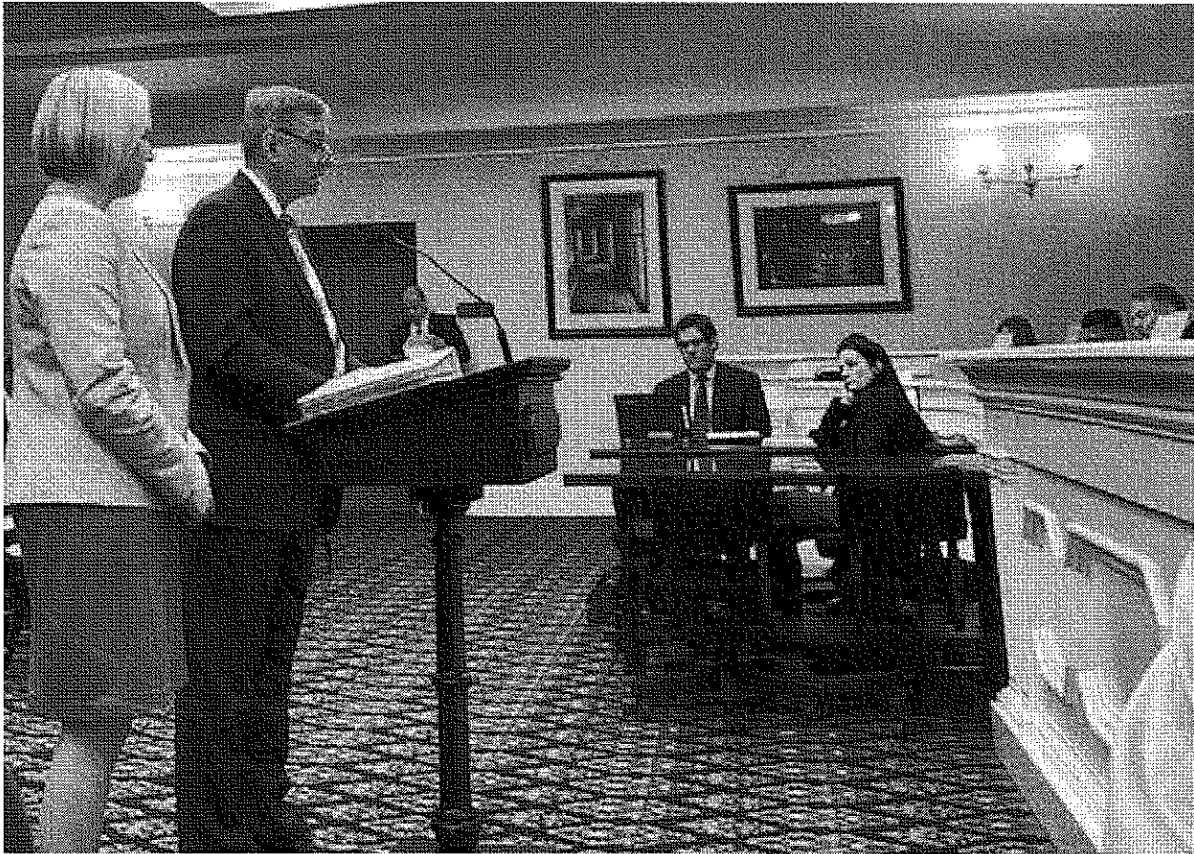
HB 489 is supported by the Ohio Bankers League, the National Association of Consumer Attorneys, the National Association of Bankruptcy Attorneys, the Ohio Credit Union League, and the Community Bankers Association of Ohio; the bill has no opponents. It was reported by the Government Accountability and Oversight Committee 7-3 on party line.

Subject: Speaker Cliff Rosenberger stuns lawmakers by announcing resignation amid FBI inquiry

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Reps. Sarah LaTourette, a Republican, and John Patterson, a Democrat, explain to colleagues on the House Finance Committee an amendment to a school resource officer bill that would offer \$10 million to districts to pay for a specialized officer training, among other security measures. (Laura Hancock/Capitol Letter)

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= 9 **Rotunda Rumblings**

= 9 **Cliff dive:** House Speaker Cliff Rosenberger announced Tuesday that he will resign from the legislature on May 1 amid FBI questioning into his spending and travel. It was a shocking and unexpected fall for one of the most powerful politicians in Ohio, coming just a few days after the first media reports surfaced that Rosenberger hired a defense attorney.

According to the Cincinnati Enquirer, the FBI is looking into a 2017 trip to London that included lobbyists from the payday lending industry, as well as his ties to top GOP donor/Rosenberger's landlord Ginni Ragan. Rosenberger denied any wrongdoing but said he needed to step aside as the inquiry "could take months or even years to resolve."

= 9 **Meet the new boss:** House Speaker Pro Tem Kirk Schuring will step up to handle the speaker's duties until a new speaker is elected to serve through the end of the year. Lawmakers told Capitol Letter that election likely won't happen until after the May 8 primary. "Moving forward, my goal will be to facilitate the operations of this institution as smoothly and efficiently as possible," Schuring said in a statement.

= 9 **Lawmakers stunned:** Several House Republicans told Capitol Letter they were shocked at the news of Rosenberger's resignation. "I didn't foresee anything like this coming," said Wooster Republican Scott Wiggam. "I'm a little bit in shock and I want to know more." Others described Rosenberger as being selfless for giving up his legislative career for the sake of the caucus. "He came into this job having been through a speaker's battle with several factions of our caucus," said Circleville Rep. Gary Scherer. "I've been so impressed at how he was able to pull those different factions together to accomplish a lot."

= 9 **Big bucks added to bill:** The House Finance Committee advanced a bill Tuesday after adding \$10 million to help districts with the cost of school resource officer training, which costs \$500 per officer. The money could also be used for school safety equipment and to help schools identify students with mental health issues. Originally, House Bill 318 merely specified that officers had to take the 40-hour specialized training, but Rep. Sarah LaTourette said Rosenberger and Senate President Larry Obhof wanted the bill to have training money.

= 9 **No arming teachers:** Testifying in support of HB 318 was Frank Hall, a Chardon High School teacher and football coach who Sports Illustrated called an American hero after he chased a gunman out the school and offered comfort to two boys who eventually died from shooting injuries in 2012. While Hall supports school resource officers, he said he's thankful he didn't take the shooter's life. "I would just think teachers are nurturers by

nature. In the heat of the moment where everyone's flying around, I don't have the same training as Officer Shaw has," Hall said, referring to Chardon's school resource officer, Mike Shaw, who also supports HB 318.

= 9 **More for OhioCorps:** Lawmakers cleared from committee a bill that creates OhioCorps, which aims to mentor and prepare for college at-risk high schoolers who come from poverty or homes with drug abuse. The pilot program originally was targeted for Southeast Ohio. But lawmakers adopted a substitute to House Bill 508 that will allow students from all regions of the state to be eligible for the program.

= 9 **Tax talk:** The committee reviewing Ohio's 129 tax breaks is meeting Wednesday morning, for just the second time. On the Joint Tax Expenditure Review Committee's agenda are five tax exemptions. The conservative Buckeye Institute on Tuesday released a list of 20 loopholes it thinks Ohio should close, including the film tax credit and the NetJets loophole for those who buy shares of corporate jets.

= 9 **Phoning ahead:** A telecom deregulation bill designed to help local telephone companies is headed to the House floor after clearing the House Public Utilities Committee on Tuesday. Before reporting House Bill 402, panel members approved an amendment that, among other things, would allow smaller base rate increases than the original bill language would have permitted. The original bill would have allowed rate hikes of up to 20 percent per year; the revised bill raises maximum increases from \$1.25 per month in current law to \$2 per month.

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Senate biz: Ohio Senate President Larry Obhof said there could be 15 bills up for a vote on the floor Wednesday, but the final number will depend on the progress of morning committee hearings. Bills that could be considered include criminal sentencing changes under Senate Bill 202, known as the Reagan Tokes Act for an Ohio State University student who was kidnapped, raped and murdered; an overhaul of the Joint Committee on Agency Rule (Senate Bill 221); and a bill extending unemployment benefits to spouses who quit their jobs to follow military members to new jobs (House Bill 158).

= 9 **On the House side...** Wednesday's Ohio House floor agenda includes

legislation to loosen regulations on banks and credit unions (House Bill 489), set up a \$100 million broadband grant program (House Bill 378), allow dogs on outdoor patios of bars and cafes (House Bill 263), and designate June 12 as "Superman Day" in Ohio (House Bill 135).

= 9 **Cordray hits the airwaves:** Rich Cordray's gubernatorial campaign on Tuesday began airing its first TV ad: a 30-second spot highlighting the Democrat's work as head of the Consumer Financial Protection Bureau. A Cordray campaign spokesman said the ad is running statewide, though Cordray's camp declined to release any other information about the size and scope of the ad buy.

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The old college try: Also on Tuesday, Cordray vowed to make community college free for all Ohioans if elected. In a release, Cordray also proposed using challenge grants to help expand Columbus State Community College's "Preferred Pathways" program, which guarantees students admission and 100-percent credit transfer to a dozen four-year colleges and universities in Ohio. He further favors broadening the Accelerated Study in Associate Program, which offers scholarships, intensive advising, a transportation stipend and other services to community college students. Cordray's plan didn't specify how all this would be paid for.

= 9 **My out-of-town friend's stopping by:** Cordray is bringing in U.S. Sen. Elizabeth Warren of Massachusetts to campaign with him Friday in Cincinnati and Columbus, according to the Associated Press.

= 9 **Return fire:** House speaker hopeful Rep. Larry Householder is firing back against an attack ad with a new \$85,000 TV/radio ad buy, according to political ad-spending tracker Medium Buying. In the TV ad, airing in the Columbus market, the Perry County Republican shoots a gun at a television featuring an anti-Householder ad from the recently formed Honor and Principles PAC.

= 9 **O'Connor gets some Mansfield love:** Democratic 12th Congressional District candidate Danny O'Connor was endorsed Tuesday by ex-state Rep. Jay Goyal of Mansfield, who briefly considered running for the seat himself, according to a campaign release. O'Connor, the Franklin County recorder, was also backed by three Mansfield City Council members,

including Council President Phillip Scott.

= 9 **Stories We're Talking About**

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Dems debate: Tuesday night's debate among the Democratic candidates for governor didn't live up to expectations in terms of razzle-dazzle. But the candidates had plenty to say afterward about the resignation of House Speaker Cliff Rosenberger, reports cleveland.com's Seth Richardson.

= 9 **Seeds of hope:** "Ohio soybean farmers in a pocket of Northwest Ohio say they're willing to gamble on the potential of big tariffs on their crops to achieve a better deal on trade with China," cleveland.com's Mary Kilpatrick reports in the latest installment of the Ohio Matters series. The Seneca County farmers aren't panicking about the threatened tariffs. "They believe President Donald Trump is trying to make trade with China more fair for Americans, and trust him at the negotiation table," Kilpatrick writes.

= 9 **Time to vote:** Early voting is underway for the May 8 primary, cleveland.com's Karen Farkas reminds us. And to help with your decision on Issue 1, the congressional redistricting reform proposal, the secretary of state's office has put out an informational video, the Associated Press reports.

= 9 **Kasich pushes gun legislation:** The father of a victim of the Parkland, Fla. school shooting joined Gov. John Kasich Tuesday to push for "common-sense" gun legislation, cleveland.com's Jackie Borchardt reports. "Fred Guttenberg said gun safety measures such as those in a recently passed Florida law would have prevented the death of his 14-year-old daughter Jaime," Borchardt writes.

= 9 **Brown's war chest:** U.S. Sen. Sherrod Brown, who is unopposed in the Democratic primary but will face a heavily funded GOP challenge in November, has raised a hefty \$19.7 million for his re-election, according to figures released to the Columbus Dispatch.

= 9 **More on campaign money:** In the crowded Republican race for former U.S. Rep. Pat Tiberi's seat, state Sen. Troy Balderson reported raising \$410,000, the Dispatch reports. The Dispatch also has a look at Balderson

and the nine other GOP candidates in the race.

= 9 **Time to leave?** A day after the FBI raid on the offices of President Trump's attorney, Republican U.S. Rep. Jim Jordan of Champaign County told the Daily Caller Attorney General Jeff Sessions and Deputy AG Rod Rosenstein should be held accountable for leadership over special counsel Robert Muller's Russia investigation. Jordan complained that Congress isn't being kept abreast of the investigation and when lawmakers receive information it's heavily redacted and difficult to understand.

= 9 **Wheels of the bus:** Former U.S. House Speaker John Boehner of West Chester told CNN he is hitting the road on a rented motor coach called "Freedom One" to lend his support to Republicans running for the U.S. House. Boehner has a tradition of campaigning on a bus.

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Full Disclosure

= 9 Five things we've learned about the May 15 ethics disclosure statement of Rep. Rick Perales, a Beavercreek Republican.

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1. In 2016 he earned between \$10,000 and \$24,999 in Air Force retirement income, in addition to his \$66,944 legislative salary.

= 9 2. He's saving for his children's education in a 529 plan. He is also invested in the Ohio Public Employees Retirement System and Ohio Deferred Compensation. He has mutual funds with Fidelity and Templeton Fund and retirement with the University of Dayton, where he was the school's executive director of facilities from 1998 to 2013.

= 9 3. He owed at least \$1,000 in 2016 to Wright-Patt Credit Union, USAA Mastercard, PNC Bank, American Express, Pentagon Federal Credit Union and Capital One.

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4. The state reimbursed him \$2,501.20 for mileage between Columbus and home. The National Conference of State Legislatures reimbursed him \$594 for travel.

= 9 5. He received gifts valued at \$364.38 in 2016— including \$95 from the

Dayton Development Coalition to register for the Ohio Defense Forum and \$98 tickets to the University of Cincinnati versus Houston football game in the president's box.

= 9 **On the Move**

= 9 The League of Women Voters of Ohio announced Jennifer Miller as its incoming executive director. Miller comes from the Sierra Club of Ohio, where she was executive director.

= 9 Thomas Gallick is a new reporter for Gongwer News Service, taking over for departing reporter Melissa Dilley. Gallick, a Kent State University graduate, previously covered Delaware County for ThisWeek Community News.

= 9 **What's Going On Today**

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7:30 to 9 a.m. – Sen. Vernon Sykes fundraising reception: The Akron Democrat is seeking donations between \$350 and \$1,000. *Capital Club, 50 S. Front St.*

= 9 **8 a.m. – Ohio Library Council legislative day.** *Capital Club, 50 S. Front St.*

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8 to 9:30 a.m. – Rep. Bernadine Kent fundraiser: The Columbus Democrat is seeking donations between \$250 and \$1,000. *Einstein Bros. Bagels, 41 S. High St.*

= 9 **8 a.m. – Ohio General Assembly Cancer Caucus.** *Finance Hearing Room, Senate Building.*

= A **9 a.m. – House Health Committee:** The panel may adopt a substitute bill for House Bill 456, which would ban forced overtime for nurses. *Room 121, Ohio Statehouse.*

= 9 **9:15 a.m. – Senate Public Utilities Committee:** The committee may amend and vote on House Bill 478, which would limit what cities can

charge telecommunications companies wanting to install small-cell antennae for 5G mobile networks. *Finance Hearing Room, Senate Building.*

= 9 9:30 a.m. – House Government Accountability and Oversight

Committee: The committee may amend and vote on House Bill 123, which would reform Ohio's payday-lending rules, as well as adopt a substitute bill for House Bill 525, which would increase the state's film tax credit to \$100 million a year. *Room 313, Ohio Statehouse.*

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9:30 a.m. – House Transportation and Public Safety Committee: Panel members are slated to hear testimony on autonomous and connected vehicles. *Room 114, Ohio Statehouse.*

= 9 10 a.m. – Joint Tax Expenditure Review Committee. *North Hearing Room, Senate Building.*

= 9 10:30 a.m. – Dave Yost, GOP lawmakers to unveil telemarketing bill: State Sen. Dave Burke and state Reps. Keith Faber and Jonathan Dever will join Auditor Yost in announcing plans for new legislation to stop telemarketers from using misleading caller ID information. *Harding Senate Press Room, Room 109, Ohio Statehouse.*

= 9 11:30 a.m. to 4:15 p.m. – Habitat for Humanity to build home outside Statehouse: Lawmakers, staff, and other volunteers plan to build the walls of a house to commemorate the 50th anniversary of the Fair Housing Act. *Ohio Statehouse grounds.*

= 9 11:30 a.m. to 1 p.m. – Reps. Craig Riedel and Kristina Roegner fundraising luncheon: The Republicans are seeking contributions between \$350 and \$1,000. *Condado, 132 S. High St.*

= 9 11:30 a.m. to 1 p.m. – Rep. Laura Lanese fundraising reception: Rep. Sarah LaTourette is slated to be a special guest. Donation levels range from \$350 to \$1,000. *The Goat, 219 S. High St.*

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Noon – Rep. Bill Reineke to discuss wind turbine bill: The Tiffin Republican and local officials plan to discuss legislation revising Ohio's

property setback law for new wind projects. *Harding Press Room, Room 109, Ohio Statehouse.*

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12:30 p.m. – Cuyahoga County Executive Armond Budish to deliver State of the County address. *Huntington Convention Center of Cleveland, Grand Ballroom, 300 Lakeside Ave., Cleveland.*

= 9 **1:30 p.m. – House Session.**

= 9 **1:30 p.m. – Senate Session.**

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1:30 p.m. – Public Utilities Commission of Ohio meeting. *Room 11B, 180 E. Broad St.*

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3:30 p.m. – Jon Husted to campaign in Youngstown: The secretary of state and GOP lieutenant governor candidate plans to tour the America Makes Innovation Factory and deliver brief remarks. *236 W. Boardman St., Youngstown.*

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5 to 6:30 p.m. – Reps. Steve Hambley and Rick Perales fundraising reception: The Republicans are seeking donations ranging from \$350 to \$1,000. *The Buckeye Bourbon House, 36 E. Gay St.*

= 9 **5 to 7 p.m. – Sen. Sean O'Brien and Rep. John Bocchieri fundraiser.** *Condado, 132 S. High St.*

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5 to 7 p.m. – Legislative candidate Tom Bullock fundraiser: The House District 13 Democratic candidate is seeking donations between \$50 and \$250. *Dempsey's, 346 S. High St.*

= 9 **5 p.m. – Sens. Bob Peterson and Steve Wilson fundraiser:** The Republicans are seeking donations between \$350 and \$1,000. *Athletic Club of Columbus lounge, 136 E. Broad St.*

= 9 **5:30 to 7:30 p.m. – Joe Schiavoni, Stephanie Dodd to hold Zanesville fundraiser:** The Democratic gubernatorial ticket is seeking donations between \$25 and \$500. *Weasel Boy Brewing Company, 126 Muskingum Ave., Suite E, Zanesville.*

= 9 **5:30 to 7:30 p.m. – Mary Taylor to campaign in Wayne County:** The Republican gubernatorial candidate plans to speak at Wayne County Republican Party headquarters. 121 W. North St., Wooster.

= 9 **Birthdays**

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Rep. Jay Edwards

= 9 **Straight From The Source**

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"I haven't been this happy since my husband bought me an AR-15 for Mother's Day."

= 9 - State Rep. Christina Hagan, who is running for Ohio's 16th U.S. House district, announcing her NRA endorsement in a video that also features her shooting the gun.

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One of our aims with Capitol Letter is frequent communication with you, the reader. We value your thoughts and suggestions about the newsletter. What do you think of it? What features do you like? What could we do better? Is there a topic you'd like to see us address? And what time would you like to receive the newsletter? We've been sending it at about 6:15 a.m. Would you like it to arrive earlier? We value your feedback and are committed to making Capitol Letter your essential first read of the morning. Email us at Capitolletter@cleveland.com.

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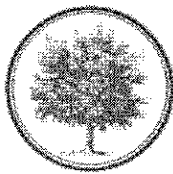
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April 11, 2018

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The Buckeye Institute: Emergency Workers Who Help Ohio in Times of Disaster Should be Thanked Not Burdened with Red Tape

Greg Lawson Testifies Before Ohio Senate Ways and Means Committee on House Bill 133

Columbus, OH -- The Buckeye Institute's Greg R. Lawson testified today (see full text below or [download a PDF](#)) before the Ohio Senate Ways and Means Committee on House Bill 133.

In his testimony, Lawson outlined the onerous nature of Ohio's "byzantine local tax policies and its arcane occupational licensing regime" and questioned why Ohio would extend "its failed policies to men and women from other states who have come to help restore our power, our water, and rebuild our infrastructure in the days after a disaster."

Noting that there is consensus across the political spectrum that occupational licensing "hurt[s] workers and make[s] it more difficult for people to work in their chosen professions," Lawson pointed out that "our state's outmoded tax and licensing policies are even more absurd and risk even harsher consequences when imposed upon out-of-state rescue and emergency personnel coming to lend Ohio a helping hand."

Lawson closed calling the exemptions "necessary and proper," saying, "Once policymakers recognize the necessity and propriety of exempting non-Ohioans from these nettlesome policies, The Buckeye Institute hopes that Ohioans will soon get some much-needed relief from this broken system, too."

#

**Interested Party Testimony Submitted on House Bill 133
Before the Ohio Senate Ways and Means Committee**

**Greg R. Lawson, Research Fellow
The Buckeye Institute
April 11, 2018**

Thank you, Chairman Eklund, Vice Chair Terhar, Ranking Member Williams, and members of the Committee for the opportunity to testify today regarding House Bill 133 and the tax and regulatory exemptions for out-of-state emergency-response personnel.

= A

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

House Bill 133 exempts out-of-state workers from most of Ohio's state and local taxes if they are here responding to a Governor-declared state of emergency. The bill also rightly exempts such workers from state and local occupational licensing requirements. Given Ohio's byzantine local tax policies and its arcane occupational licensing regime, these exemptions are necessary and proper.

According to the Tax Foundation, a leading non-partisan tax research organization, Ohio has the unfortunate distinction of owning the worst municipal income tax system in the country.[1] Ohio also boasts some of the nation's most stringent occupational licensing

requirements -- requirements that The Heritage Foundation[2], the Brookings Institute[3], and even the Obama[4] and Trump administrations[5] have all agreed hurt workers and make it more difficult for people to work in their chosen professions. Our state's outmoded tax and licensing policies are even more absurd and risk even harsher consequences when imposed upon out-of-state rescue and emergency personnel coming to lend Ohio a helping hand.

The Buckeye Institute's *Ohio Illustrated: A Visual Guide to Taxes and the Economy*,[6] co-authored by the Tax Foundation, highlights the complexity and burdens of Ohio's local tax system currently imposed on out-of-state emergency responders who are here only to help. Not content to impose its onerous tax and licensing schemes on its own citizens, Ohio extends its failed policies to men and women from other states who have come to help restore our power, our water, and rebuild our infrastructure in the days after a disaster. A simple "thank you" would likely be more appreciated.

As The Buckeye Institute's **Economic Research Center** has explained repeatedly,[7] Ohio's occupational licensing requirements -- essentially government permission slips to go to work in the morning -- do not work for Ohioans, so one can only wonder why such requirements would ever work for *non*-Ohioans trying to relieve our communities hit hardest by some natural disaster. The fact is, of course, they won't.

House Bill 133's exemptions are both necessary and proper. Necessary: because when Ohio takes a devastating blow and must rebuild communities after floods, tornados, or winter storms, the last thing those communities should have to endure is bureaucratic red-tape preventing would-be responders from turning on the electricity or restoring potable drinking water while they wait for their licenses to clear. And proper: because sending a petty, unexpected tax bill to those who left the safety and comfort of their own home-states to help rescue ours is no way to show gratitude.

Once policymakers recognize the necessity and propriety of exempting non-Ohioans from these nettlesome policies, The Buckeye Institute hopes that Ohioans will soon get some much-needed relief from this broken system, too.

Thank you for your time and I look forward to responding to any questions that you might have.

[1] Scott Drenkard and Greg R. Lawson, *In State Tax Battle, the Tar Heels Soar Above the Buckeyes*, Forbes, September 23, 2013.

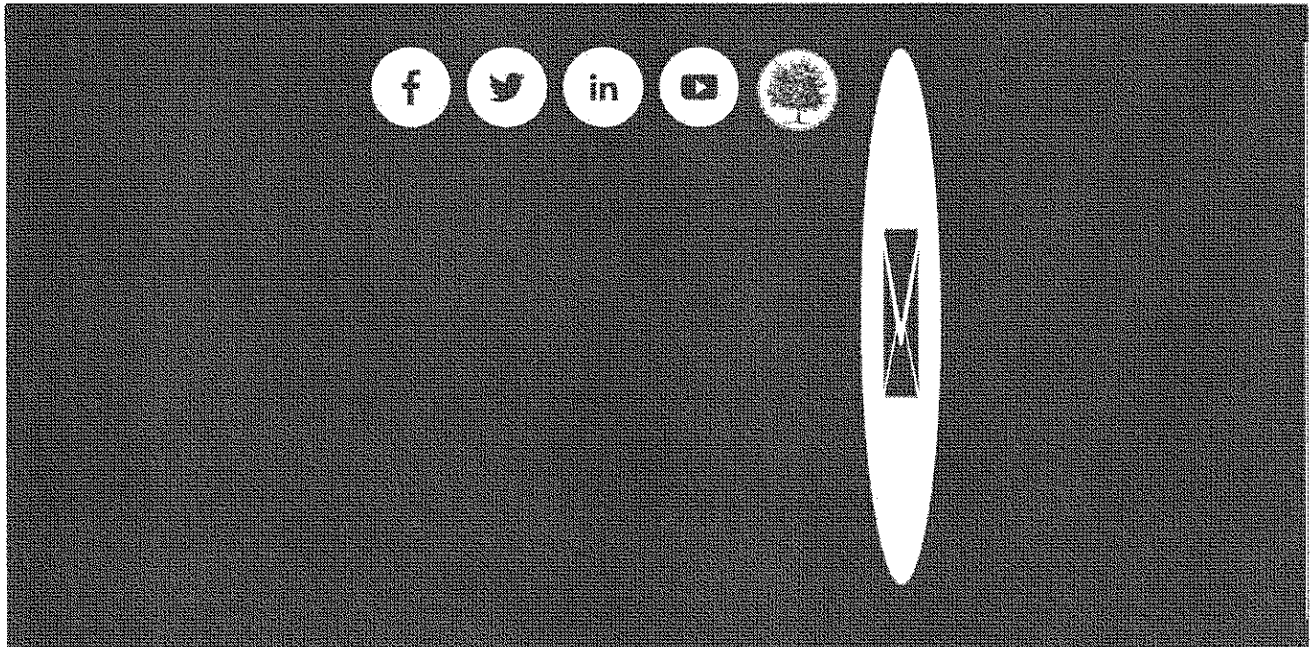
- [2] Salim Furth, *Costly Mistakes: How Bad Policies Raise the Cost of Living*, The Heritage Foundation, November 23, 2015.
- [3] Morris M. Kleiner, *Reforming Occupational Licensing Policies*, The Hamilton Project, March 2015.
- [4] The White House, *Occupational Licensing: A Framework for Policymakers*, July 2015.
- [5] Secretary of Labor Alexander Acosta, Speech before the 44th Annual Meeting of the American Legislative Exchange Council, U.S. Department of Labor, July 21, 2017.
- [6] *Ohio Illustrated: A Visual Guide to Taxes and the Economy*, The Buckeye Institute and The Tax Foundation, June 7, 2017.
- [7] Orphe Pierre Divounguys, PhD, Bryce Hill, and Greg R. Lawson, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, The Buckeye Institute, December 18, 2017; and Tom Lampman, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*, The Buckeye Institute, November 18, 2015.

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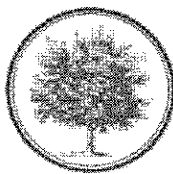
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THE BUCKEYE INSTITUTE

Burdensome Occupational Licensing Requirements is Causing a Real Problem for Women

By Lisa A. Gates
April 12, 2018

Proponents of occupational licensing often claim that the reason we need licensing is to protect citizens -- both their health and safety. And protecting people is of paramount importance. But what if public health and safety aren't at risk? Or what if licensing requirements in one profession are completely out of line with a profession where workers are entrusted with peoples' actual lives?

That is what is happening with the debate over cosmetology licensing. As was recently pointed out in *The Columbus Dispatch*, "In Ohio, you can be an emergency medical technician after completing 800 hours of training, a police officer after 695 hours and a

licensed practical nurse after 1,376 hours. And to sit for a licensing exam to cut hair? Would you believe 1,500 hours of training?"

Given these facts, it is apparent that public safety is hardly a legitimate concern when it comes to licensing cosmetologists.

There is a proposal to lower the number of training hours for a cosmetology license to 1,000 - the same as required in New York City. Opponents claim that this would hurt women and question if supporters of the change "have a women problem." This would be laughable, if the proposed change was not so important to women who want to enter the cosmetology profession to earn a better living for themselves and their families. The real problem for women is the skyrocketing costs and unnecessary time it takes to get a cosmetology license.

By lowering the hours required for a cosmetology license to the same as it is in New York City, Ohio would help women save money on school costs so they can begin their careers. As Dawn Hochwalt, a salon manager from Dayton, Ohio, said, "When I was in school it cost around \$6,000 to go to school and get a license, now that cost is \$20,000 or more. That debt is putting a tremendous burden on young people and the 1,500 hours they need to earn their license means they are not able to get on the salon floor to earn a living and pay off their debt."

= A

And cosmetology jobs are growing. According to the **Bureau of Labor Statistics**, job opportunities for cosmetologists will grow by 13 percent by 2026. However, with the barriers Ohio is putting in the way, these jobs will go unfilled and this growth in jobs will disappear.

If policymakers want to help women, be family-friendly, and help jobs and businesses grow they must remove barriers for people, particularly women, to pursue the careers of their choice.

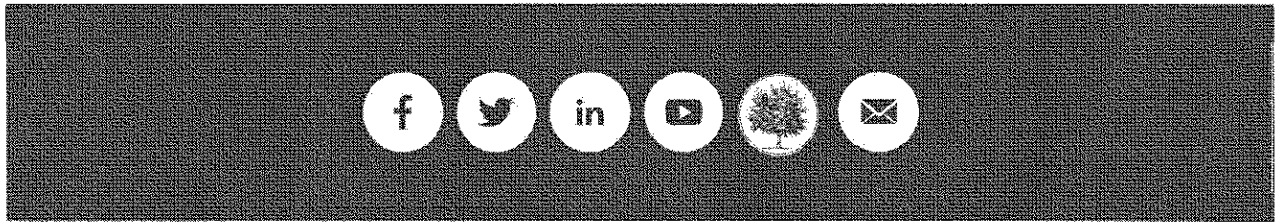
Lisa A. Gates is the vice president of communications at The Buckeye Institute.

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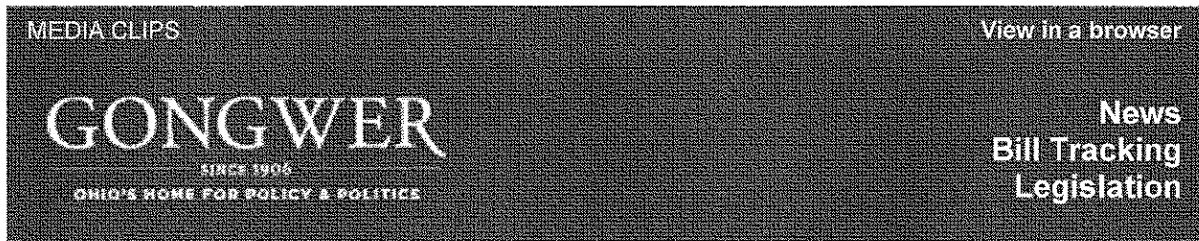
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NEWS

Ohio AG's call to speaker facing possible probe under fire (Associated Press, 4/12/2018)

Ohio House OKs push for medal honoring John and Annie Glenn (Associated Press, 4/12/2018)

Records scarce on sexual misconduct at Ohio Statehouse (Associated Press, 4/12/2018)

Ohio Issue 1: Curbing gerrymandering in Ohio (Cincinnati Enquirer, 4/12/2018)

What is Issue 1 on Ohio's ballot? (Cincinnati Enquirer, 4/12/2018)

First round of Ohio doctors approved to recommend medical marijuana (Cleveland Plain Dealer, 4/12/2018)

Ohio statewide candidates make ethics disclosures for 2017 (Cleveland Plain Dealer, 4/12/2018)

Payday loan reform bill stalls (again) amid Rosenberger FBI inquiry (Cleveland Plain Dealer, 4/12/2018)

**President Donald Trump signs bill to fight online sex trafficking
(Cleveland Plain Dealer, 4/12/2018)**

**See the Republican and Democratic Ohio governor candidates mix it up
in endorsement meetings (Cleveland Plain Dealer, 4/12/2018)**

**After resignation, Ohio House GOP must decide who's next speaker
(Columbus Dispatch, 4/12/2018)**

**DeWine, Yost, Taylor all demand Rosenberger quit immediately
(Columbus Dispatch, 4/12/2018)**

**Ohio House passes bill allowing dogs on restaurant patios (Columbus
Dispatch, 4/12/2018)**

**Payday-lending reforms struggle to advance in Ohio legislature
(Columbus Dispatch, 4/12/2018)**

**Trump signs Portman's bill fighting sex trafficking (Columbus Dispatch,
4/12/2018)**

**What people are saying about Ohio House Speaker Rosenberger's
decision to step down (Columbus Dispatch, 4/12/2018)**

**Election 2018: Taylor, DeWine showcase differences as they seek GOP
nomination for Ohio governor (Dayton Daily News, 4/12/2018)**

**Guns, infrastructure key issues in final Democratic gubernatorial debate
(Dayton Daily News, 4/12/2018)**

**John Boehner joins marijuana group, says he has 'evolved' (Dayton Daily
News, 4/12/2018)**

**Paul Ryan's retirement could give Jim Jordan a higher platform (Dayton
Daily News, 4/12/2018)**

**Payday lending crackdown stalls in Ohio House (Dayton Daily News,
4/12/2018)**

**Who's in charge of Ohio House?: Rosenberger out, Schuring steps in
(Dayton Daily News, 4/12/2018)**

**Judge slams EPA over Lake Erie impairment controversy (Toledo Blade,
4/12/2018)**

Senate passes bills targeting violent offenders (Toledo Blade, 4/12/2018)

EDITORIALS

**Beacon Journal/Ohio.com editorial board: Resignation of the speaker,
doing the bidding of payday lenders (Akron Beacon Journal, 4/12/2018)**

**In Ohio, payday-lending vultures have bought themselves a legislature:
Brent Larkin (Cleveland Plain Dealer, 4/12/2018)**

**Editorial: Tariffs threaten Ohio farmers, manufacturers (Columbus
Dispatch, 4/12/2018)**

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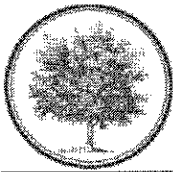
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THE BUCKEYE INSTITUTE

In *The Columbus Dispatch*, Buckeye's Quinn Beeson highlights the importance of occupational licensing reform to women who want to join the cosmetology profession, saying, "In Ohio, an EMT who makes life and death decisions receives less training than a cosmetologist in whose hands you place your hair. This is ridiculous and illustrates why Ohio needs to expand opportunities for women and minorities and remove barriers to employment."

The Columbus Dispatch

Bills would benefit women, minorities

The Columbus Dispatch
Letters to the Editor
April 13, 2018

Charles Penzone was absolutely right in his April 8 op-ed "Bills would get cosmetologists into workforce."

In Ohio, an EMT who makes life and death decisions receives less training than a cosmetologist in whose hands you place your hair. This is ridiculous and illustrates why

Ohio needs to expand opportunities for women and minorities and remove barriers to employment.

Becoming a cosmetologist gives women and minorities - who compose the overwhelming majority of those in the industry - control over their own lives. That is why opposition to removing barriers for these people is so misguided.

It is shocking that opponents of reform, mostly for-profit schools, want to stop young people from getting hired more quickly while heaping mounds of debt on their shoulders and crushing their opportunities.

Policies harming the career opportunities for women and minorities in Ohio need to end. Helping cosmetologists is a good place to start. But it is only a start. There is much more to be done to expand the opportunities for success in Ohio and remove barriers to employment.

Quinn R. Beeson
The Buckeye Institute
Columbus

###

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Legislative Bulletin

April 13, 2018

OML UPDATE AT-A-GLANCE

Here are the top three things you need to know from this past week:

- House Speaker Cliff Rosenberger (R - Clarksville) announced this week he will be resigning effective immediately. His resignation comes in the wake of the revelation of an FBI inquiry into travel and expenses.
- "The American Society of Civil Engineers estimates that Ohio will require more than \$12 billion to be invested in water systems and more than \$14 billion in waste water infrastructure over the next 20 years." Rep. Tim Ginter (R - Salem) shared this information through his sponsor testimony to a senate committee studying HB 422, legislation he co-sponsored with Rep. John Rogers (D -

Mentor-on-the-Lake) providing for the acquisitions of municipal waterworks and sewage systems.

- The Ohio Department of Transportation announced it will spend \$2.5 billion on approximately 1,000 construction projects, mainly preserving existing roads and bridges, in 2018. The department plans to replace or repair 5,645 miles of road and work on 1,040 bridges throughout the state.

OML REGIONAL CONFERENCES COMING SOON

In the next few months, the OML will be holding regional conferences throughout the state to bring important elements of our Annual Conference right to the doorstep of the local leaders who serve Ohio's cities and villages.

The goal of these Regional Conferences is to provide an opportunity for League members prevented from attending our three-day Annual Conference held in downtown Columbus by either distance or time constraints but know it is important to receive the timely information and access to resources that the conference provides. In an attempt to reach our members unable to attend the Annual Conference, we have put together a single day program of general session topics with presentations by featured speakers who are experts in their municipal sectors.

The regional conferences are an invaluable opportunity for municipal officials statewide to have the ability to be presented with critical information directly related to the success of their own communities, as well as connect and network with other local leaders in their area. This opportunity is not limited to League members who cannot come to Columbus but is a great opportunity for all municipal and local government officials to refresh their skill sets and get the most recent information on critical topics. Registration information including the conference agenda can be accessed [HERE](#).

The dates and locations for the four Regional Conferences are as follows:

- Southeast: Friday, May 18th at the Ohio University Conference Center in Athens.
- Southwest: Friday, June 8th at the Manor House Banquet Center in Mason.
- Northeast: Friday, June 29th at the Pro Football Hall of Fame in Canton.
- Northwest: Friday, August 17th at the Hancock Hotel in Findlay.

We encourage you to sign up as soon as possible, as space will be limited, and we look forward to seeing you there!

SMALL CELL INFRASTRUCTURE BILL HEADS TO GOVERNOR'S DESK FOR SIGNATURE

This week marked the end of a months-long collaboration between municipal leaders and the telecommunications industry to create legislation governing the deployment of small cell wireless infrastructure within a municipality's right-of-way. HB 478, sponsored by Rep. Smith (R - Bidwell) and Rep. LaTourette (R - Chesterland), passed out of Senate committee this week and headed before the full chamber, where it was voted out 26-7. The bill then went back to the House that same day, where it was concurred upon 72-17. HB 478 now heads to the desk of Governor Kasich for his signature. A copy of the most recent legislative analysis for the bill can be found [HERE](#).

While the bill was in the Senate Public Utilities Committee, several amendments were added, including clarifying the definition of a small cell facility operator; ensuring that an organization who doesn't meet that definition is still allowed to request municipal consent to either build a wireless support structure, collocate on or alter an existing one; and requiring that a municipality include a line disclosing who owns a facility or structure on both the license and the application. The League is neutral regarding these changes.

Although the legislation is not perfect, the predictable and orderly deployment and implementation of new technologies is crucial to promoting economic development in cities and villages and enhances the quality of life for municipal residents. The municipal representatives who worked long hours to craft the legislation remained focused on respecting the operational processes, capabilities and capacities of cities and villages as the new technologies are being deployed. Great attention was given to make sure that the billions of municipal taxpayer dollars that has been invested in local infrastructure was protected, preserving the local character of neighborhoods and historic districts.

The League wants to thank all who were involved in the creation and passage of this legislation, from the Representatives and Senators whose involvement and votes were crucial, to the municipal coalitions and telecommunication industry representatives who spent many long hours these past several months working towards a viable compromise.

"STAND-YOUR-GROUND" GUN BILL ADDS LOCAL PREEMPTION

This week, HB 228, legislation sponsored by Rep. Johnson (R - McDermott) and Rep. LaTourette (R - Chesterland), which would assign to the prosecution the burden of disproving a self-defense or related claim, expand the locations at which a person has no duty to retreat before using force under both civil and criminal law, and modify the Concealed Handgun Licensing Law regarding a licensee's duty to keep the licensee's hands in plain sight, change the penalties for illegally carrying a concealed firearm or improperly handling firearms in a motor vehicle, and amend laws regarding the posting of warning signs regarding the possession of weapons on specified premises was amended to include the preemption of local firearm regulations. During the fourth hearing Tuesday, the amendment was added which states that if any local firearm regulation interferes with an individual's right to bear arms; inhibits their ability to protect themselves, their families or others from intruders and attackers; or inhibits the legitimate use of firearms, then that regulation is preempted by the state.

Additionally, the substitute bill states any person or group or entity that claims to be adversely affected by a local ordinance or rule that a local government exacts or enforces in violation of this preemption, may sue that local government and be awarded actual damages and declaratory or injunctive relief. Those damages would be paid by that local government.

The amendment, which was part of a larger substitute bill offered by Rep. Merrin (R - Monclova Township), was adopted in this week's House Federalism and Interstate Relations Committee. No testimony was heard on either the bill or the substitute bill.

At this moment, the League is working to get a better understanding of how expansive the language is and will provide greater detail on the liabilities the new language would present to Ohio municipalities in future legislative bulletins.

TAX EXPENDITURE REVIEW COMMITTEE MEETS TO DISCUSS SALES TAX EXEMPTIONS

Members of the Tax Expenditure Review Committee met this week to discuss tax credits and exemptions in the Ohio Revised Code, which totals roughly \$9 billion annually. Of the 5 tax breaks up for discussion and testimony during committee, the ones that received proponent testimony were the exemptions for manufacturing and packaging tangible personal property, which is the single largest tax expenditure listed in the report. The Legislative Service Commission (LSC) compiled a memo and chart [HERE](#) of the five first exemptions of the report and the amount of tax revenue deferred by exemptions extended to churches, the state, political subdivisions and manufacturing.

According to the Ohio Department of Taxation's Tax Expenditure Report, manufacturers did not pay \$2.2 billion in taxes last year due to a sale tax exemption dealing with equipment and machinery. An additional \$255.2 million in sales tax on packaging and packaging equipment was exempted. In testimony, representatives from the Ohio Manufacturers' Association, the Ohio Chamber of Commerce and the Manufacturers Policy Alliance testified that these tax breaks in turn generate revenue for the state because they keep manufacturing companies in Ohio instead of neighboring states.

The League will continue to report on the discussions and findings of the Tax Expenditure Review Committee as they continue to meet.

MUNICIPAL BILLS ON THE MOVE THROUGH THE OHIO GENERAL ASSEMBLY

It was another busy week in the legislature for municipal issues. The Ohio House will not be in session next week so there will be no committee meetings and is not scheduled to have another session date until May 16th. The schedule may change as the situation warrants due to the appointment of a new Speaker of the House. The House is scheduled to be in session May 16th, 23rd and 24th and on an "if needed" basis May 30th, 31st, June 6th, 7th, 13th and 14th. The Senate will hold committee meetings next week but will not hold a voting session. Before the senate takes their legislative recess for the summer, Senators are scheduled to be in session April 25th, May 16th & 23rd. Session dates are scheduled on an "if needed" basis for May 9th, 22nd, June 6th, 13th and 27th.

The following are the bills that were passed out of either the full House or Senate chambers this week.

- SB 208 - WEAPON POSSESSION. Sponsored by Sen. Terhar (R - Cincinnati), this bill would allow a law enforcement officer or investigator, whether on or off duty, to carry a weapon on certain premises open to the public. During its fourth hearing before the Senate Judiciary Committee, it was amended to include measures like allowing law enforcement to carry weapons when consuming alcohol if it is part of their duties - for example, when an officer is undercover. It was then voted out and sent before the entire Senate chamber where it was voted out 30-3. The bill will now head to the House. The League is neutral on this legislation.
- SB 239 - REGIONAL COUNCILS OF GOVERNMENT. This bill, sponsored by Rep. Dolan (R - Chagrin Falls), would modify the law concerning regional councils of governments. During its sixth hearing before the Senate Government Oversight and Reform Committee, no testimony was given on this bill. The bill

moved out of committee and sent to the Senate chamber, where it was voted out unanimously. The bill will now head to the House. The League is supportive of this legislation.

- **HB 251 - SUBDIVISION INVESTMENTS.** Sponsored by Rep Greenspan (R - Westlake), this bill would increase from five to ten years the maturity period of other political subdivision's bonds and obligations eligible for investment of a subdivision's interim moneys, a county's inactive moneys, and money in the county public library fund. It was voted unanimously out of the full Senate Chamber and will head to the desk of the Governor. The League is supportive of this legislation.
- **HB 122 - ECONOMIC STUDY COMMITTEE.** Sponsored by Rep. Hambley (R - Brunswick) and Rep. Rogers (D - Mentor-on-the-Lake), this bill would establish a Regional Economic Development Alliance Study Committee to study the benefits and challenges involved in creating regional economic development alliances. During its fourth hearing before the Senate Government Oversight and Reform Committee, four amendments were added: changing the length of the committee from 5 to 10 years; adding 5 non-voting members; allowing municipalities to put in joint police and fire levies on the ballot and allows three municipalities to create certified entertainment districts by modifying the definition a historic district. It then went before the full Senate Chamber, where it was voted out 89-2. The League is supportive of this legislation.
- **HB 378 - OHIO BROADBAND DEVELOPMENT.** Sponsored by Rep. Smith (R - Bidwell) and Rep. Cera (D - Bellaire), this bill would create the Ohio Broadband Development Grant Program, to encourage the Department of Transportation to work with telecommunications providers to lay fiber optic cable and make an appropriation. It was passed out of the full House chamber 85-11 and will now head before the Senate. The League is supportive of this legislation.
- **HB 263 - DOGS ON PATIOS.** This bill, sponsored by Rep. Lanese (R - Grove City), this bill would generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation. This bill was voted out of the full House chamber 86-10 and will now head to the Senate. The League is neutral on this legislation.

COMMITTEE RECAP: HEARINGS FOR BILLS OF MUNICIPAL INTEREST

Here are the bills that impact municipalities that received committee hearings this week:

- **HB 38 - CRIMINAL OFFENSES.** This bill, sponsored by Rep. Greenspan (R - Westlake), would provide that purposely causing the death of a first responder or military member is aggravated murder and to require an offender to serve the prison term imposed for felonious assault on a peace officer, investigator, first responder, or military member consecutively to the prison term imposed for any related offense. During its fourth hearing before the Senate Judiciary Committee, a representative from the Fraternal Order of Police testified saying retired police officers deserved to have these same protections extended to them as well. The North Ohio Fire Fighters and the Ohio Association of Fire Chiefs spoke to firefighters targeted for violence when responding to the call of duty. The League is supportive of this bill.
- **SB 180 - FIREARM LAWS.** This bill, sponsored by Sen. Uecker (R - Loveland) and Sen. Hottinger (R - Newark), this bill would assign to the prosecution the burden of disproving a self-defense or related claim, expand the locations at which a person has no duty to retreat before using force under both civil and criminal law, and modify the Concealed Handgun Licensing Law regarding a licensee's duty to keep the licensee's hands in plain sight, the penalties for illegally carrying a concealed firearm or improperly handling firearms in a motor vehicle, and the posting of warning signs regarding the possession of weapons on specified premises. During its fourth hearing before the Senate Judiciary Committee, opponents testified against the bill, including the State Highway Patrol, the League of Woman Voters, the Ohio Coalition Against Gun Violence and other. The League is neutral on this bill.
- **HB 422 - MUNICIPAL WATER-WORKS.** Sponsored by Rep. Ginter (R - Salem) and Rep. Rogers (D - Mentor-on-the-Lake), this bill would govern the acquisitions of municipal water-works and sewage disposal system companies by certain larger nonmunicipal water-works or sewage disposal system companies. During its first hearing before the Senate Public Utilities Committee, the sponsors spoke to the bill's alternative solution to the lack of funding facing much of Ohio's municipal infrastructure. The League is supportive of this legislation.

- **HB 553 - THEFT IN OFFICE.** Sponsored by Rep. Cupp (R - Lima), this bill would expand the increased penalties for theft in office based on the amount of property or services stolen and to include as restitution certain audit costs of the entity that suffered the loss involved in the offense. During its first hearing before the House Criminal Justice Committee, the bill's sponsor spoke to the bill's goal of holding those who steal taxpayer dollars accountable. The League is neutral on this legislation.
- **HB 171 - EMS WORK HOURS.** Sponsored by Rep. Patmon (D - Cleveland), this bill would limit the hours worked in a work shift and to require work breaks for emergency medical service providers. During its first hearing before the House Economic Development Committee, the bill's sponsor explained that the measure seeks to protect EMTs and paramedics as well as private ambulance drivers. A substitute bill was adopted which would also require a CPR-certified additional driver in an ambulance as well as anti-retaliatory provisions for drivers during their shift's last hour. The League is neutral on this legislation.
- **HB 522 - LIQUOR PERMITS.** Sponsored by Rep. Lanese (R - Grove City), this bill would allow an outdoor refreshment area to include F liquor permit holders. During its third hearing before the House Government Accountability and Oversight Committee, the bill was voted unanimously out of committee. The League is supportive of this legislation.
- **HB 342 - LOCAL BALLOTS.** This bill, sponsored by Rep. Merrin (R - Monclova Township), this bill would permit local tax-related proposals to appear only on general and primary election ballots and not on an August special election ballot and to modify the information conveyed in election notices and ballot language for property tax levies. During its fifth hearing before the House Government Accountability and Oversight Committee, the bill was not brought up and no testimony was given so the interested parties on the bill could continue to discuss proposed changes. The League is opposed to this bill.

- **HB 469 - MIXED-USE TAX CREDITS.** Sponsored by Rep. Schuring (R - Canton), this bill would authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed-use development projects. During its sixth hearing before the House Government Accountability and Oversight Committee, a substitute bill was adopted which expands the criteria of what qualifies as a "transformational mixed-use development" so more cities across the state would be able to have local development projects that qualify. The League is supportive of this bill and is grateful to Rep. Schuring and the committee for ensuring more local downtowns have the opportunity to encourage development and placemaking within their communities.

- **HB 484 - HEALTH DISTRICTS.** This bill, sponsored by Rep. Brenner (R - Powell), would authorize city and general health districts to use credit cards in accordance with prescribed requirements. During its fourth hearing before the House State and Local Government Committee, a substitute bill was adopted which aligned large portions of the bill with HB 312, a bill that passed the House last year regulating the use of credit and debit cards by local governments. The League is supportive of this bill.

- **HB 530 - LOCAL OFFICIALS.** Sponsored by Rep. Hambley (R - Brunswick) and Rep. Arndt (R - Port Clinton), this bill would authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices. During its fourth hearing before the House State and Local Government Committee, the bill received proponent testimony. The League is neutral on this legislation.
 - **HB 543 - PROSECUTING ATTORNEYS.** This bill, sponsored by Rep. Perales (R - Beavercreek) and Rep. Hambley (R - Brunswick), would allow a county prosecuting attorney to enter into a contract with a regional airport authority, port authority, or regional planning commission to be its legal adviser. During its second hearing before the House State and Local Government Committee, proponents from the Ohio Aviation Association, the Ohio Association of Regional Councils,

and representatives from international and regional airports testified in support of the bill. The League is neutral on this legislation.

- **SB 182 - DOGS ON DINING PATIOS.** Sponsored by Sen. Coley (R - Liberty Township), this bill would generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation. During its third hearing before the Senate Health, Human Services and Medicaid Committee, a substitute bill was adopted which, among other changes, clarified that dogs may only exit and enter a patio via a patio gate, not through the restaurant. The League is neutral on this bill.
- **HB 253 - CONCEALED WEAPONS.** This bill, sponsored by Rep. Householder (R - Glenford) and Rep. Lanese (R - Grove City), would permit law enforcement officers to carry firearms off duty in places otherwise prohibited for concealed handgun licensees. During its fourth hearing before the House Federalism and Interstate Relations Committee, a substitute bill was adopted which prohibits establishments from restricting a peace officer from carrying their gun on the premises, allows them to carry guns in courthouses and allows them to carry guns into liquor establishments if doing so is within the scope of their job. The League is neutral on this legislation.
- **HB 133 - DISASTER WORK.** Sponsored by Rep. Ryan (R - Newark), this bill would create the Disaster Relief Act to exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster. During its second hearing before the Senate Ways and Means Committee, proponent testimony was given by the Buckeye Institute and the former director of the Emergency Management Agency. The League is neutral on this legislation.
- **SB 268 - THEFT IN OFFICE.** Sponsored by Sen. Wilson (R - Maineville), this bill would expand the increased penalties for theft in office based on the amount of property or services stolen and to include as restitution certain audit costs of

the entity that suffered the loss involved in the offense. During its first hearing before the Senate Government Oversight and Reform Committee, the bill's sponsor said increased penalties would serve to hold thieves of taxpayer dollars appropriately accountable. The League is neutral on this legislation.

- **HB 419 - SOVEREIGN IMMUNITY.** Sponsored by Rep. Henne (R - Clayton), this bill would modify the defense to the liability of a member of a police or fire department or emergency medical service of a political subdivision for the negligent operation of a motor vehicle in response to an emergency by requiring that the vehicle has its lights and sirens simultaneously activated. During its third hearing before the House Civil Justice Committee, no testimony was given on this bill. The League is neutral on this legislation.
- **HB 585 - FIREARM LAWS.** Sponsored by Rep. Henne (R - Clayton), this bill would expand the definition of dangerous ordnance to include armor piercing ammunition and expand the definition of an automatic firearm to include any device within the federal definition of machine gun; create additional conditions under which an individual may not possess a firearm or dangerous ordnance and eliminate the process by which an individual may apply for relief from a weapons disability; generally prohibit a person from buying, purchasing, obtaining, or furnishing a firearm on behalf of a third party; provide for the entry of protection orders into the federal NCIC database and LEADS; and provide for the issuance by a court of an extreme risk protection order. During its first hearing pending referral to the House State and Local Government Committee, the sponsor explained the rationale for the legislation, explained the ongoing process of changing the legislation and fielding questions from several skeptical committee members. The League is currently neutral on this legislation.

NEW LEGISLATION OF MUNICIPAL INTEREST INTRODUCED

- **SB 288 - FIREARM LAWS.** Sponsored by Rep. Eklund (R - Chardon) and Rep. Kunze (R - Hilliard), this bill would expand the definition of dangerous ordnance to include armor piercing ammunition and expand the definition of an automatic firearm to include any device within the federal definition of machine gun; create additional conditions under which an individual may not possess a firearm or dangerous ordnance and eliminate the process by which an individual

may apply for relief from a weapons disability; generally prohibit a person from buying, purchasing, obtaining, or furnishing a firearm on behalf of a third party; provide for the entry of protection orders into the federal NCIC database and LEADS; and provide for the issuance by a court of an extreme risk protection order.

- **HB 583 - OCCUPATIONAL LICENSING.** Sponsored by Rep. Henne (R - Clayton), this bill would limit the occupational license and registration requirements and fees that a political subdivision may impose on state-regulated occupations, to establish a waiver exempting certain persons from paying occupational license or registration fees, and to revise the licensing restrictions applicable to individuals convicted of criminal offenses. This bill is another significant preemption of municipal Home Rule rights and local control authorities.
- **HB 594 - LOCAL GOVERNMENT PAYMENTS.** Sponsored by Rep. Ramos (D - Lorain), this bill would provide for payments to municipalities or school districts for their lost income tax revenue after a business lays off 50 or more employees within their jurisdiction.

COMMITTEE SCHEDULE FOR THE WEEK OF APRIL 15, 2018

Tuesday, April 17, 2018

SENATE AGRICULTURE

Tue., Apr. 17, 2018, 4:00 PM, South Hearing Room

Sen. Hackett: 614-466-3780

HB392** BEE KEEPERS-IMMUNITY (STEIN D) To grant specified apiary owners immunity in personal injury or property damage cases involving bee stings.

First Hearing, Sponsor Testimony

Wednesday, April 18, 2018

SENATE WAYS AND MEANS

Wed., Apr. 18, 2018, 9:00 AM, South Hearing Room

Sen. Eklund: 614-644-7718

HB133** DISASTER RELIEF ACT (RYAN S) To create the Disaster Relief Act to exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster.

Third Hearing, All Testimony

SB252** LOCAL OFFICES-OTHER POSITIONS (PETERSON B) To authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices.

Third Hearing, All Testimony

PLEASE CHECK OUR WEBSITE MONDAY FOR ANY CHANGES TO THE COMMITTEE SCHEDULE

Up Coming Meetings & Events

OML/OMAA Webinar Top 10 TIF Misconceptions	April 18, 2018 10:00 am ~ 11:00 am	<u>Registration Information</u>
OAPSD Annual Conference Hilliard Police Dept.	May 4, 2018	<u>Registration Information</u>
Regional Summer Conference Series	May 18, June 8, June 29, August 17	<u>Registration Information</u>
OML/OMAA Webinar Updates on ADA,FMLA, Title VII Accommodation...	May 17, 2018 10:00 am ~ 11:00 am	<u>Registration Information</u>
Mayors Association Annual Conference	June 13 ~ 15, 2018 Akron, Ohio	Registration Information Available Monday 4/16

Ohio Municipal League

Legislative Inquires:

Kent Scarrett, Executive Director

Edward Albright, Deputy Director

Ashley Brewster, Director of Communications

Rachel Massoud, Legislative Advocate

Website/Bulletin Issues:
Zoë Wade, Office Manager

Ohio Municipal League, 175 S. Third Street, Suite 510, Columbus, OH 43215

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Sent by kscarrett@omloho.org in collaboration with



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From: Beckler, Adam
Sent: Friday, April 13, 2018 2:04 PM
To: Kasych, Shawn
Subject: FW: Parole Officers Union Appalled By Inaction On Reagan Tokes Act

Rep. Hughes also asked that I pass along the below statement from SEIU.

From: "ACaldwell@seiu1199.org" <ACaldwell@seiu1199.org>
Date: April 11, 2018 at 4:50:27 PM EDT
To: "ACaldwell@seiu1199.org" <ACaldwell@seiu1199.org>
Subject: Parole Officers Union Appalled By Inaction On Reagan Tokes Act

Parole Officers Union Appalled By Inaction On Reagan Tokes Act

SEIU District 1199 says without SB202, SB 201 does
little to keep our communities safe.

COLUMBUS, OHIO – In response to the passage of Senate Bill 201 by the Ohio Senate, SEIU District 1199 President Becky Williams issued the following statement:

“Today, the Ohio Senate chose to turn their backs on the safety and security of our Ohio’s families by refusing to address the real threats caused by the lack of appropriate caseloads for Ohio’s parole officers and failing to fix the broken system that monitors violent offenders released from prison.”

“The passage of Senate Bill 201 is an opportunistic political move in an election year that does nothing to keep our families safe once violent offenders are released into the community. While released offenders are subject to “post-release control”, just as they are now, without SB202/HB365, parole officers still will not

have the staffing or the technology to properly monitor these offenders upon release.”

“On behalf of Ohio’s parole officers, we call on the Ohio House to reject Senate Bill 201 until such time as they can adopt a comprehensive approach to fixing our broken system like House Bill 365.”

ANTHONY A. CALDWELL

director of politics, policy, communications & research

SEIU District 1199 WV/KY/OH

cell: 330-651-2042

office: 614-324-7413

twitter: @anthonycaldwell

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From: Kasych, Shawn
Sent: Friday, April 13, 2018 2:47 PM
To: Lundregan, Scott
BCC: Kasych, Shawn
Subject: Fwd: Parole Officers Union Appalled By Inaction On Reagan Tokes Act

Shawn Kasych
Majority Chief of Staff
216.299.0901

Begin forwarded message:

From: "Beckler, Adam" <Adam.Beckler@ohiohouse.gov>
Date: April 13, 2018 at 2:04:21 PM EDT
To: "Kasych, Shawn" <Shawn.Kasych@ohiohouse.gov>
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SEIU District 1199 WV/KY/OH

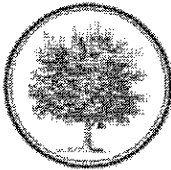
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From: The Buckeye Institute
Sent: Wednesday, April 18, 2018 2:55 PM
To: Kasych, Shawn
Subject: The Buckeye Institute Praises Effort to Continue Rolling Back Red Tape



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms
(614) 224-3255 or Lisa@BuckeyeInstitute.org

FOR IMMEDIATE RELEASE
April 18, 2018

The Buckeye Institute Praises Effort to Continue Rolling Back Red Tape

Columbus, OH -- The Buckeye Institute issued the following statement on legislative proposals designed to reduce regulatory burdens on Ohioans.

"Senate President Larry Obhof and the leadership of both chambers should be commended for continuing to go after red tape that strangles Ohio businesses and makes it difficult for people to begin working in the career of their choice.

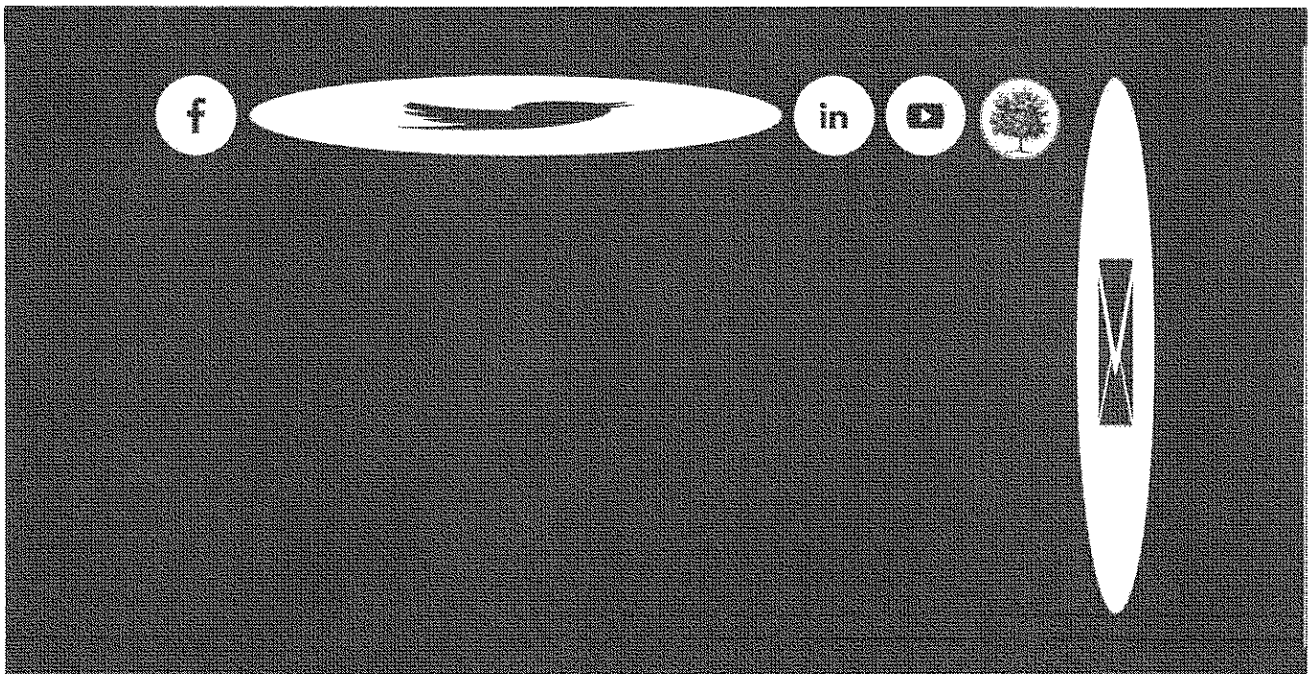
"The Buckeye Institute has long called for **eliminating duplicative and unnecessary regulations** that do little-to-nothing to protect public health and safety and prevent Ohioans from creating jobs and **beginning new careers**. The proposals being considered by Senators Peterson, McColley, and Wilson and Representative Roegner are a step in the right direction.

"By tracking and reducing onerous regulations that do not affect public safety, Ohio can create a stronger economy much like the results seen in **British Colombia**, Canada and **New Zealand**."

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.



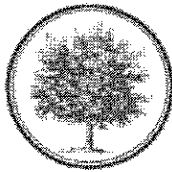
The Buckeye Institute, 88 East Broad Street,
Suite 1120, Columbus, OH 43215

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Sent by info@buckeyeinstitute.org

From: The Buckeye Institute
Sent: Friday, April 20, 2018 11:01 AM
To: Kasych, Shawn
Subject: The Buckeye Institute: Ohio's Job Market Shows Positive Signs, Further Reforms Needed to Make Ohio a National Leader



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

April 20, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute: Ohio's Job Market Shows Positive Signs, Further Reforms Needed to Make Ohio a National Leader

Columbus, OH -- Andrew J. Kidd, Ph.D., the senior economist with the Economic Research Center at **The Buckeye Institute** commented on newly released unemployment data from the **Ohio Department of Job and Family Services**. (Click [here](#) to download the audio file.)

"Ohio's unemployment rate fell slightly to 4.4 percent, down from 4.5 percent in February. This continued trend, combined with a similar labor force participation rate, is a positive indicator that Ohio's job market is allowing individuals who desire jobs to get jobs. However, Ohio has yet to reach the national unemployment rate of 4.1 percent. This, as well as a labor force participation rate lower than the national average shows that Ohio still has work to do. The right reforms, such as **closing tax loopholes** and **removing unnecessary barriers to employment** through occupational licensing, would create opportunities for sustained job growth.

"Ohio continued to experience positive job growth with 8,600 new jobs in non-farm private employment. Coupled with January and February's job growth, more than 37,000 Ohioans have found jobs this year alone, which shows that Ohio's job market is still expanding. The

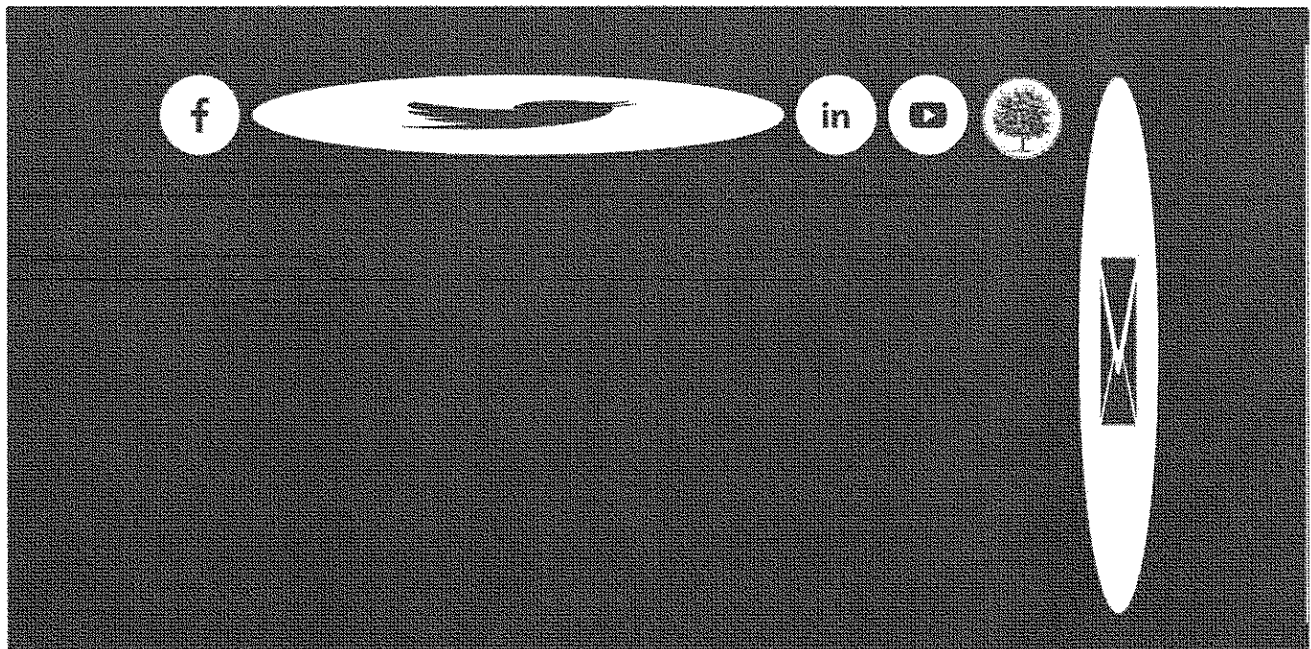
growth in construction and manufacturing jobs (1,200 jobs and 1,500 respectively), is a positive sign for economy-wide growth, and with the potential implications of tariffs will be important to watch in the coming months.

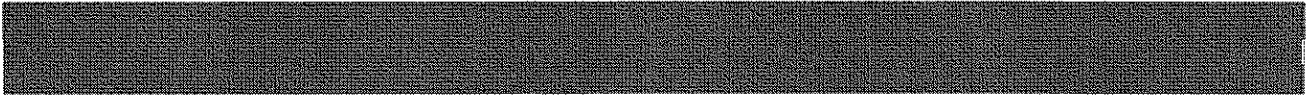
"Ohio in 2018 has experienced positive job growth. Yet, another month of an unchanged labor force participation rate once again implies that some individuals are still not searching for jobs. Reforms to occupational licensing, and an end to preferential tax credits to only certain industries would further expand Ohio's job market and help Ohio reach its goal of being a national leader in job creation."

###

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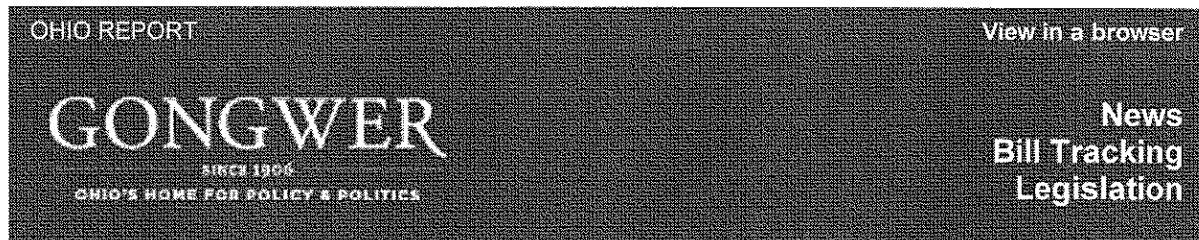
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Suite 1120, Columbus, OH 43215

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Sent by info@buckeyeinstitute.org

From: Gongwer News Service
Sent: Friday, April 20, 2018 6:21 PM
To: Kasych, Shawn
Subject: Ohio Report, Friday, April 20, 2018
Attachments: 180420dayplan.htm; Apr20.htm; 180420plan.htm



OHIO REPORT FRIDAY, APRIL 20

Energy Standards Bill Timeline Unclear As Another Wind Setback
Proposal Is Introduced

State Unemployment Drops To Lowest Level In More Than 16 Years

Senator Backing Medical Marijuana Audit Bill Supports Review By
Commerce Department

High Court To Hear Traffic Camera Case

Candidates Stress Experience In House District 26 Primary

OPA: Pharmacists Can Serve As Educators In Opioid Struggle

Medical Pot Program Halt Rejected; Complaint Against DeWine
Dismissed; No New Trial For Beck; Buckeye Institute Weighs In On
Case...

Issue 1 Backers Tout Endorsements; Cordray Takes Credit For Wells Fargo Fine; Yuko Calls For Action On Guns...

Sheehy Calls For Further Action On Ag Runoff; OEC Proposes Toxic Chemical Protections

Ohio Lands \$26 Million In Federal Opioid Funding; Senators Applaud Disaster Request Approval...

Chamber Of Commerce Endorses Issue 1; P&G, Key, More Report Financial Results; Toledo Businesswoman Added To SBAC

Governor's Appointments

Supplemental Agency Calendar

CALENDARS

Day Planner

Event Planner

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Daily Activity Planner for Saturday, April 21- Monday, April 23

Legislative Committees

No legislative committees scheduled.

Agency Calendar

Monday, April 23

Controlling Board, North Hearing Rm., Senate Bldg., Columbus, 1:30 p.m.
Human Trafficking Commission, 18th Fl., 150 E. Gay St., Columbus, 2 p.m.

Event Planner

Saturday, April 21

YMCA Youth & Government High School State Assembly 2, Statehouse,
Columbus

17 S. High St., Suite 630
Columbus Ohio 43215
Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Mike Livingston, Dustin Ensinger, Jon Reed, Tom Gallick, Staff Writers

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Volume #87, Report #77 -- Friday, April 20, 2018

Energy Standards Bill Timeline Unclear As Another Wind Setback Proposal Is Introduced

Senate President Larry Obhof this week referred to ongoing talks over the state's energy standards and wind turbine setback revisions as "a long-term project."

The remark lends further uncertainty to the timeline in which Senate Republicans hope to roll out a substitute bill on a measure (HB 114) that in its current form waters down the state's renewable and energy efficiency benchmarks.

Earlier this month, Sen. Obhof had predicted a sub bill could be ready "in the next few weeks." (See Gongwer Ohio Report, April 6, 2018)

But asked this week about the Senate's priorities in the coming weeks, Sen. Obhof (R-Medina) said: "We've talked a number of times about energy, and particularly 114 probably now is a long-term project."

Sen. Obhof had previously labeled the measure a priority for the first part of the year but the timeline has been pushed back at every juncture as lawmakers grappled with a congressional redistricting ballot issue (SJR 5), the capital budget (HB 529) and other pressing proposals.

Sen. Bill Beagle (R-Tipp City) and Sen. Troy Balderson (R-Zanesville) are spearheading talks on that sub bill but have said the timeline and the extent of the changes to the legislation remain unclear. The caucus has yet to reach a consensus on the plan the senators presented behind closed doors last month. (See Gongwer Ohio Report, March 23, 2018)

Changes to loosen the state's setbacks for wind turbines are expected to be a component of the sub bill and advocates have continued pressing lawmakers in recent weeks to walk back restrictions put in place in a 2014. (See Gongwer Ohio Report, April 12, 2018)

Rep. Fred Strahorn (D-Dayton) on Tuesday introduced his own standalone measure to reduce setbacks (HB 604). His plan joins several other legislative efforts to accomplish that feat, including proposals from Sen. Matt Dolan (SB 238) and Sen. Michael Skindell (SB 184).

The minority leader's proposal would require turbines to be no closer than 1,125 feet from the tip of a turbine to the exterior of the nearest habitable residential structure. Current law, in contrast, measures the distance from the structure's property line.

The measure would also make permanent tax exemptions for tangible personal property of a qualified energy project using renewable energy resources under certain conditions.

Trish Demeter, the Ohio Environmental Council's vice president of energy policy, welcomed the latest attempt.

"I applaud Leader Fred Strahorn for proposing HB604 - a bill which if passed, would pave the way for full scale wind development in Ohio," Ms. Demeter said.

"For too long, Ohioans have missed out on trends towards wind energy due to unnecessarily large setbacks from property lines. Fixing the wind setback issue is critical for further development of wind energy across the state, and bringing Ohio up to speed in the growing clean energy economy."

State Unemployment Drops To Lowest Level In More Than 16 Years

Ohio's unemployment rate dropped a notch to 4.4% in March, maintaining a positive trend of recent months and reflecting the best report since August 2001, according to the Department of Job and Family Services.

The March rate was a drop from 4.5% in February 2018, the agency reported. Total employment increased 10,800 over the month to 5,579,200, and the number of unemployed was down 9,000 to 253,000.

The unemployment total has dropped by 40,000 since March 2017, when the rate was 5.1%, and the state has seen an increased of 54,400 jobs during that period, according to state data compiled in conjunction with the federal Bureau of Labor Statistics.

"Another strong jobs report out today," Gov. John Kasich stated on his Twitter account. His statement was accompanied by a GIF of actor Chuck Norris giving a thumbs-up.

"Since 2011, Ohioans have created 501,000 new private sector jobs, and unemployment is the best it's been since 2001," Mr. Kasich said. "We've come a long way since 2010. Let's keep it going, Ohio!"

Senate President Larry Obhof (R-Medina) said the number of new private jobs reflected an important milestone for the state. The positive news shows the GOP-run legislature's policies are working, he said.

"We work diligently to not only create an environment of possibilities for Ohio's job creators but also to ensure Ohioans from all backgrounds are prepared to take advantage of those opportunities," Sen. Obhof said in a release.

"We've done this through creating a jobs-friendly business environment, developing a jobs-ready workforce and empowering Ohio's small businesses, the backbone of our economy. While this is an important milestone that shows Ohio's policies are working, we have much more to do, and we will continue to build on this progress."

Despite the recent gains, Ohio still lags the nation, as the U.S. unemployment rate for March was 4.1%. That figure was unchanged from February and down from 4.5% in March 2017.

During a month when most sectors saw job gains, the best performers were the private service-providing sector, which added 5,700 positions, as well as trade, transportation, and utilities (+3,400). ODJFS noted the most significant losses in information (-700) and other services (-500).

Agency spokesman Bret Crow said eight industries or sub-sectors experienced record-high employment levels. They are: transportation, warehousing and utilities; finance and insurance; educational and health services; educational services; health care and social assistance; leisure and hospitality; accommodation and food services; and state government.

The March gains in the construction industry, which was up 1,200 jobs, represented the third consecutive month of steady job growth in the sector, which has gained 5,700 jobs over the last year, Mr. Crow said.

In addition, the state versus federal comparison on job growth favored Ohio, as the state added jobs at a rate that was more than double the national rate, or 0.19% versus 0.07%, he said. And the average weekly earnings for Ohioans is up \$3.14 compared to last month and \$28.45 compared to last year, both outperforming the national rate.

"It's an across-the-board positive report with lower unemployment and new job growth that doubled the nation's," Mr. Crow said.

Andrew J. Kidd, senior economist with the Economic Research Center at The Buckeye Institute, said the latest jobs report shows "Ohio's job market is allowing individuals who desire jobs to get jobs."

"However, Ohio has yet to reach the national unemployment rate of 4.1%, he added. "This, as well as a labor force participation rate lower than the national average, shows that Ohio still has work to do. The right reforms, such as closing tax loopholes and removing unnecessary barriers to employment through occupational licensing, would create opportunities for sustained job growth."

"Ohio in 2018 has experienced positive job growth. Yet, another month of an unchanged labor force participation rate once again implies that some individuals are still not searching for jobs," Mr. Kidd added.

Hannah Halbert, researcher with Policy Matters Ohio, said the state has gained more jobs in the first three months of 2018 than in all of 2017.

"While labor force participation suggests there is still room for improvement, Ohio's labor market is finally tightening," she said. "Even so, many jobs pay too little and offer too-few hours, making it nearly impossible to afford basics like food and health care without

public support. Raising the minimum wage, restoring the 40-hour work week, and supporting paid leave would make the most of this tighter labor market and help rebuild a path to the middle class."

Ms. Halbert said Ohio continues to underperform the nation's 12-month rate for job growth and has "vastly underperformed" the rest of the U.S. since the 2005 tax overhaul was enacted.

"Ohio is not out of the woods. A bad month or two could erase this streak and more months of solid growth are needed to take up the remaining slack in our labor market," she said.

Senator Backing Medical Marijuana Audit Bill Supports Review By Commerce Department

A senator who sponsored legislation to require an audit of the medical marijuana licensing process said he's supportive of efforts by the Department of Commerce to perform its own review.

Sen. Bill Coley (R-Liberty Twp.) introduced a proposal (SB 264) in February to require a state auditor investigation of DOC's awarding of provisional licenses for medical marijuana growers, including a set timeframe for the review and the awarding of certificates of operation.

It was intended to remove any clouds of suspicion or impropriety from the licensing process, the sponsor said. (See Gongwer Ohio Report, February 22, 2018)

That measure had its first hearing this week in the Senate Health, Human Services & Medicaid Committee. (See Gongwer Ohio Report, April 17, 2018)

Since February, DOC and other agencies involved in the medical marijuana program have worked to tamp down expectations for the initiative's Sept. 8 go-live date, saying it's unlikely all license recipients will be operational by then. (See Gongwer Ohio Report, April 5, 2018)

The agency worked with an attorney general-appointed special counsel to hire a third-party auditor to review the scoring and find possible improvements. The department reported Friday that Ernst & Young was retained for the work, which does not have a set deadline for completion but is expected to take "a matter of weeks" to finish.

Sen. Coley complimented the department on that effort and said the goal of his legislation is simply to ensure the state has a fair process.

"You could easily argue that they're already doing those things," he said in an interview. "I want to make sure it gets done and it gets followed through."

He encouraged the department to work with the auditor's office to ensure the process is thoroughly reviewed.

"I support Commerce going through and looking at the whole thing, re-scoring if necessary and awarding additional licenses if warranted," he said. "I think that's all a good thing and it would be for the benefit of all patients and the state of Ohio."

Sen. Coley said he's confident the department will correct any issues.

"I think they realize that some mistakes were made and they want to correct them," he said.

DOC will go before the Controlling Board Monday to request more than \$5 million for staffing, legal costs and other expenses for the medical marijuana program. (See Gongwer Ohio Report, April 16, 2018)

High Court To Hear Traffic Camera Case

The battle over automated traffic cameras will continue next week with the latest front being the Ohio Supreme Court.

The city of Toledo and the state are at odds over a previous budget (HB64, 131st General Assembly) provision that allows the state to reduce Local Government Fund distributions for non-compliance with traffic camera restrictions (SB342, 130th General Assembly), some of which were struck down by the high court. (See Gongwer Ohio Report, July 26, 2017)

Ten days prior to the traffic camera restrictions becoming law, the city asked for and received an injunction from the Lucas County Common Pleas Court, the high court reported.

Lawmakers then passed the biennial budget containing the LGF reduction provisions. The city again asked for and received an injunction from the trial court, which found the state would be in contempt if it withheld funding from cities based on non-compliance with a law found to be unconstitutional.

The Sixth District Court of Appeals upheld the ruling, leading to the state appeal to the high court, where it argues the budget provision is a reporting requirement and a formula for discretionary spending. (Docket)

"Toledo has no 'home rule' right to receive money from the General Assembly," the state writes in a brief. "It is not 'losing' money that it has, but rather choosing to give up money in order to run its traffic-camera program as it sees fit."

The state also contends that the city should have been required to file a separate lawsuit in the matter and that the injunction is a violation of separation of powers.

"The Sixth District's holding invades the legislative power and exceeds the judicial power because courts do not have roving license to enjoin legislation," the state argues. "Courts must instead draw the power to block legislation from specific constitutional prohibitions."

The city, however, claims that lawmakers are seeking to coerce compliance with unconstitutional laws.

It also argues that the state is the guilty party when it comes to the violation of separation of powers.

"If the General Assembly could simply ignore the judicial branch any time legislation is struck by withholding funds to those entities that do not comply with the unconstitutional legislative acts, then there is no separation of powers because the legislature would reign supreme," the city writes in its brief.

"This type of legislation is not a 'new' law that merits a separate lawsuit and separate constitutional analysis, but moreover an affront to the authority of the judiciary. The Penalty Provisions try to avoid judicial control by reenacting unconstitutional laws."

The case is slated for oral arguments as another measure (HB 410) authored by the primary sponsor of the 2014 law works its way through the General Assembly.

Rep. Bill Seitz's (R-Cincinnati) legislation would eliminate the use of administrative hearings when a civil citation is issued for a traffic violation recorded by a photo-monitoring device and require local governments that use traffic-monitoring devices to annually file a report with the tax commissioner detailing how much revenue is generated from their use which will then be subtracted from the LGF distribution.

The court will hear three other cases next week:

- In *State v. Dunson*, a Montgomery County man convicted of murder and aggravated robbery will ask the justices to set aside \$6,199 in court costs.
- The court in *East Manufacturing v. Testa* will determine if a Portage County company is eligible for a use tax exemption for the purchase of natural gas it uses to heat six buildings where aluminum truck trailers are constructed.
- A bank will argue that despite federal rules requiring a face-to-face meeting with a borrower after three missed mortgage payments prior to proceeding with a foreclosure it should be allowed to move forward because the meeting occurred during court-ordered mediation after the second attempt to foreclose in the case of *Wells Fargo Bank v. Burd*.

Candidates Stress Experience In House District 26 Primary

A Columbus City School Board member and a law clerk with a background in youth advocacy each say their breadth of experience make them the ideal candidates for the 26th House District.

The Democrat-leaning district is currently represented by Rep. Hearcel Craig (D-Columbus), whose bid for the Senate is opening the path for a new face. Michael Cole, 45, and Erica Crawley, 37, are both working to secure the Democratic nomination, after which the victor will likely face Republican Shareeque Sadiq in November.

Mr. Cole said he has a track record of "having gotten things done in the most tough circumstances" thanks to his two terms on the school board.

"It's one thing when the whole deck's lined up for you and you're accomplishing some things of the work and will of people," he said. "It's another to have every kind of almost insurmountable obstacle against you whether it's state, federal, local discontent for something and still move the needle of achievement."

Ms. Crawley, while touting her own experience, credits her desire to enter public office to her great aunt who in 2007, shortly before her death, asked her during a conversation on political leaders, "Why not you?"

"She was never elected, never interested in politics per se, but she gave her time," Ms. Crawley said. "She spent a lot of time with the church, with homeless families. She never met an enemy. People loved my aunt and she loved people. I would hope she would be proud of me if I could be half the woman she was and make the impact she made."

Mr. Cole is originally from Cleveland but first came to Columbus as a student at Ohio State University. "This city kind of had me at hello," he said.

He picked up a master's degree in communication at Seton Hall University and then chose to return to Columbus where he sought out service opportunities including a five-year stint as area commissioner in Westgate.

"The opportunity and potential that this city offers I think is tremendous," Mr. Cole said. "I think it was almost a spiritual calling to end up in this city."

He said he worked on neighborhood safety and beautification issues, before segueing into politics and hosting a public affairs radio show. He was first elected to the school board in 2013 and reelected last year. He's currently vice president of the board, which is dominated by Democrats.

"I came with the mindset of working to ensure and strengthen accountability, curriculum, transparency and safety in the district," Mr. Cole said. "I'm committed to bringing that same mindset to the Statehouse."

Even though it contains solely Democrats, he said, the school board has taught him valuable lessons.

"Even if everyone's on the same page from the politics standpoint everyone brings different points of view, skills, knowledge and attitude," Mr. Cole said. "Working among a body politic making decisions and brokering decisions...on matters that effect people is something I've tremendously learned from this experience."

Ms. Crawley is also a transplant, hailing originally from Youngstown. She spent 2000-2003 serving in the United States Navy in Virginia. After giving birth to twin girls - Hope and Faith, who are now 13 - she moved to Cleveland where she finished her college degree in criminology with a focus on juvenile delinquency.

Next was a stint in Atlanta where she received her masters and had an array of jobs centered on supporting youth including work for the Black Child Development Institute and the Court Appointed Special Advocate program.

She returned to Columbus where she attended Capital University Law School, graduating in 2017 with a concentration in civil litigation. Following that, she clerked for Honda North America and since 2016 has clerked for Eastman and Smith's Columbus office.

Both candidates list education as a central plank of their platforms. For Ms. Crawley that means ensuring equal access to quality education.

"I am an advocate for universal Pre-K," she said. "But also making sure all of our children have the same opportunities. Addressing school funding and school resources definitely plays a part."

She said she also wants to expand trade school options for young students and to focus on economic development.

"Especially in the 26th District there is disinvestment and underinvestment in that community," she said. "I would love to focus on micro-business and small businesses and making sure my neighbors have access to those resources."

She added she'd press for equal access in other areas, such as healthcare, including addiction and mental health support services.

"With that, making sure our aging population has the services they need," Ms. Crawley added. "There are a lot of grandparents taking care of their grandchildren and they don't have the resources necessary to do that effectively."

On the education front, Mr. Cole said he wants to restore consistency, including possibly by requiring five-year curriculum plans. He likened his experience on the board to being Harry Houdini locked in a box with the key inside as he's thrown over Niagara Falls.

"I find out a lot of what confines public schools period...is they are all boxed in by state laws that don't take consideration to how certain things affect us," he said. "From funding to property taxes to education and curriculum and how important it is to make sure it's steady, consistent."

In other areas, Mr. Cole said he wants to alleviate property tax burdens and create more opportunities for mixed income housing.

"I think there are any number of ways we can look at funding public education that doesn't solely fall on the backs of property owners, particularly in poor communities," he said. "I think we can do some income tax sharing. ... I think there are some win-wins. We just have to turn over some stones."

Ms. Crawley said she's the candidate voters should turn to if they seek experience thanks to a career and life experience span the spectrum from nonprofit to for-profit, military and civilian.

"I've had a commitment to being of service to others," she said. "If you look at my career either professionally or in volunteerism...I have always had a commitment to making a difference in the communities in which I lived and making a difference especially for individuals who come from poverty or low-income families."

Mr. Cole and his wife Lee have three children, ages 21, 15 and 14. He is a substitute social studies teacher who enjoys motorcycles and muscle cars.

In addition to spending time with her daughters, Ms. Crawley said she collects books, particularly of the professional development variety or autobiographies.

Subscribers Note: *This story is part of a series focusing on key primary races for Ohio legislative seats. See Gongwer's Election Page for more information on 2018 contests, including our Key Races.*

OPA: Pharmacists Can Serve As Educators In Opioid Struggle

From asking customers to question potentially counterfeit pills to teaching them how to dissolve old medication in cat litter or coffee grounds, Ohio's pharmacists have a key role in fighting the state's opioid epidemic.

That was the message from officials with the Ohio Pharmacists Association to the nearly 1,000 pharmacists and students who attended the group's 140th annual conference and trade show Friday at the Greater Columbus Convention Center.

Ernie Boyd, executive director of the OPA, said pharmacists and the public need to "keep the pressure on" to get patients to request other medications and medical professionals to write fewer prescriptions for opioids.

Mr. Boyd said over-the-counter drugs can be a fine alternative to prescription opiates. He said he thinks it was a "major mistake" to allow ibuprofen and other anti-inflammatory or pain-relief medication to be sold without a prescription.

"In the public's mind, (ibuprofen) is as innocuous as cheese or rutabaga because it's sold next to those products," he said. "I think that's insane. These are very potent drugs."

The public tends to believe prescription drugs inherently are more effective and over-the-counter drugs safer, Mr. Boyd said, adding that's not always the case.

The convention included a demonstration of multiple ways people can dispose of old or unneeded medication, from using specialty kits to mixing it with water and coffee grounds or cat litter to make it unpalatable to animals and children. Mr. Boyd said pharmacists can explain the importance and methods of disposal and serve on local drug task forces to assist in the opiate fight.

The group also advised pharmacists to explain the importance of avoiding medication from potentially dubious sources, whether it be an acquaintance or an online retailer.

"The large majority of internet sites are (fraudulent)," Mr. Boyd said. "Ninety-eight percent of the online pharmacies are not pharmacies at all. They're fake."

He said counterfeit pills may look virtually indistinguishable from pills produced by the actual manufacturer and could include powerful opioids such as fentanyl and carfentanil. The consequences of consuming the bootleg drugs range from addiction to death.

Dr. Michael Ybarra, deputy vice president of advocacy and strategic alliances at PhRMA, said the public needs to get medicine from a trustworthy source. He said buying from "rogue online pharmacies" can be a dangerous move.

"The safest thing to do is to buy at a pharmacy," he said. "The U.S. distribution system is totally closed (with) FDA inspected facilities."

Mr. Boyd said there are some legitimate online pharmacy sites, which typically feature the National Association of Boards of Pharmacy's Verified Internet Pharmacy Practice Sites logo and have a pharmacy domain names.

The most important advice for members of the public, Mr. Boyd said, might simply be to stop using medication that was not prescribed to them.

"You just don't share any of the stuff, period," he said."

Medical Pot Program Halt Rejected; Complaint Against DeWine Dismissed; No New Trial For Beck; Buckeye Institute Weighs In On Case...

A Franklin County judge on Friday declined to put the state's medical marijuana program on hold.

Instead, Franklin County Common Pleas Court Judge Richard Frye will consider the matter again at a May 11 hearing.

"We're pleased that there's been a decision not to pause the program," said Thomas Rosenberger, a spokesman for the National Cannabis Industry Association of Ohio.

The Friday hearing was a result of a lawsuit filed by Ohio Releaf LLC, which was denied a cultivator's license and subsequently sued the Department of Commerce for what it alleges is a failure to comply with public record laws and to hold a timely administrative appeal hearing.

DOC has hired an independent auditor to review its processes. (*See separate story*)

Dismissed Complaint: A three-judge panel has dismissed one of four counts of allegedly violating canons of the Ohio Judicial Code of Conduct filed against Ohio Supreme Court Justice Patrick DeWine.

The count alleges that Justice DeWine asked Hamilton County Prosecutor Joe Deters, who had 48 cases pending before the court at the time the complaint was filed, to hire his son for an internship.

The remaining allegations involve Justice DeWine's father, Attorney General Mike DeWine. The complaint alleges Justice DeWine improperly failed to recuse himself from cases in which AG DeWine is named as a party and that he appears on his father's gubernatorial campaign web site.

Justice DeWine has denied all of the alleged charges.

New Trial: The nation's highest court has declined to order a new trial for a former state lawmaker.

The U.S. Supreme Court declined to grant the request of former Rep. Peter Beck for a new trial. The decision was issued without comment.

Mr. Beck in 2015 was found guilty of 13 charges and sentenced to serve four years in prison. However, a state appellate court in 2016 overturned 10 charges and Mr. Beck served just 16 months in prison.

Amicus Brief: The Buckeye Institute has filed an amicus brief with the Sixth Circuit Court of Appeals asking it to strike down a Tennessee law it says discriminates against outdoor advertisements and signs with ideological messages.

The group said the law, which is designed to be in compliance with the Highway Beautification Act of 1965, is a violation of the First Amendment.

"While we all enjoy a scenic drive and beautiful roadways, the First Amendment is even more precious to Americans and its protections must not be violated in the name of highway beautification," President and CEO Robert Alt said in a statement. "Restricting the placement of outdoor advertisements solely based on the sign's message is a clear infringement of free speech and must be overturned."

Crew Dispute: Major League Soccer and the Precourt Sport Ventures, owner of the Columbus Crew, have asked the Franklin County Court of Common Pleas to dismiss a lawsuit designed to prevent the team from moving to Texas.

In a motion to dismiss, the groups call the Art Modell law "blatantly unconstitutional."

"The statute violates the dormant Commerce Clause of the United States Constitution because it both discriminates against out-of-state residents and impermissibly interferes with the defendants' abilities to conduct their business in interstate commerce," the filing reads.

The law requires the owner of an Ohio professional sports team that plans to cease playing most of its home games in the state to provide six months' notice in order to give others an opportunity to purchase the franchise.

Disciplinary Cases: The Board of Professional Conduct on Friday announced that it has filed 10 disciplinary case reports with the high court.

Issue 1 Backers Tout Endorsements; Cordray Takes Credit For Wells Fargo Fine; Yuko Calls For Action On Guns...

The bipartisan Coalition for Redistricting Reform, the group backing Issue 1, on Friday announced a slew of endorsements for the ballot measure.

The endorsements include the Ohio AFL-CIO, the Ohio Chamber of Commerce, the Ohio Council of Churches, the Ohio Education Association, the Ohio Environmental Council, the Ohio Farm Bureau and the NAACP Ohio Chapter.

Campaign advisor Keary McCarthy in a statement said the endorsements "truly signal the bipartisan nature of fixing the way we draw our congressional districts in Ohio."

"Our state lawmakers stepped up to make this bipartisan fix to a very partisan problem a reality, and I'm thrilled to see these powerful groups across Ohio come aboard," he added.

Wells Fargo: Richard Cordray on Friday weighed in on the news that the Consumer Financial Protection Bureau fined Wells Fargo \$1 billion.

The bureau's former director in a statement sought to downplay the role that acting Director Mick Mulvaney played in issuing the fine.

"Mulvaney has brought no new enforcement actions since he has been at the CFPB," he said. "Investigations that take many months or even years, and that are just now being finalized, are due to the aggressive work my team did to bring predatory behavior to light. To suggest this is the work of Mulvaney, who has done nothing but throw sticks in the spokes of a talented, hard-working CFPB team of devoted public servants is preposterous."

Gun Legislation: Senate Minority Leader Kenny Yuko (D-Richmond Hts.) used the anniversary of the Columbine school shooting to call for legislation to reduce gun violence.

Sen. Yuko in a statement commended students who on Friday walked out of school to mark the 19th anniversary of the school shooting.

"Our young people have sent us a clear message: we need to act now to protect them. The Senate Democratic Caucus has introduced numerous common-sense proposals to address gun violence and help keep our kids safe. Many of these bills have yet to receive a hearing," he said.

"As a leader in the Ohio Senate, I know we have to do more to stop violence in our schools. Schools should be places where children worry about upcoming math tests, and not about active shooters."

Gun Rally: Three gun rights groups on Saturday will hold a "Patriot Day Rally" at the Statehouse.

The 11 a.m. event hosted by Ohioans for Concealed Carry, Ohio Carry and the Buckeye Firearms Association will feature historical information on the role of private gun ownership in the country's founding and immigrants who will talk about their experiences before and after coming to America, according to a release.

NFIB Endorsement: Rep. Larry Householder (R-Glenford), a speaker hopeful, has the backing of National Federation of Independent Business/Ohio in his reelection bid, the group announced Friday.

Roger Geiger in a statement said Rep. Householder "understands the issues important to Ohio entrepreneurs as demonstrated by his strong voting record with NFIB."

Sheehy Calls For Further Action On Ag Runoff, OEC Proposes Toxic Chemical Protections

Rep. Michael Sheehy (D-Oregon) criticized state leaders this week after a recent report showed more work is needed to curb the runoff of phosphorus and other nutrients into Ohio's waterways.

His remarks were centered on the Ohio Environmental Protection Agency's Nutrient Mass Balance Study. The report found "no clear decrease" in nutrient loading, especially from nonpoint sources like agricultural runoff. (See Gongwer Ohio Report, April 17, 2018)

Rep. Sheehy in a statement singled out farmers for their role in contributing to runoff that can fuel harmful algal blooms in Lake Erie.

"This new report shows that despite years of deceptive talking points from powerful industry representatives in Columbus, we know where all this excess phosphorus pollution has been coming from," Rep. Sheehy said.

"It's not complicated: if you are causing nearly 90% of a problem, you should participate in searching for a solution," he continued. "Instead, their lobbyists have prioritized fighting against policy solutions and even shifting the blame to urban centers that suffer the worst of these consequences."

The Ohio Farm Bureau previously said the report shows that agriculture must play a role in improving water quality. But a spokesman said new regulations aren't needed in the group's view.

Chemicals: The Ohio Environmental Council is requesting the U.S. Environmental Protection Agency crack down on toxic chemicals.

The request comes in the form of a petition for rulemaking filed by the council seeking new protections against carcinogen perfluorooctanoic acid and other substances that can be pumped into water and air by manufactures.

"These companies need to stop emitting these chemicals before extensively studying them, and our proposed rules would stop this dangerous practice," said Chris Tavenor, an OEC law fellow.

Copies of the request were also submitted to President Donald Trump, Gov. John Kasich, Ohio EPA Director Craig Butler, Attorney General Mike DeWine and members of Ohio's congressional delegation.

Ohio Lands \$26 Million In Federal Opioid Funding; Senators Applaud Disaster Request Approval...

For the second consecutive year, Ohio is poised to receive a \$26 million funding infusion to buoy efforts to combat the opioid epidemic.

The funding announced this week comes from the 21st Century CURES Act passed in 2016. It's part of \$485 million in grants to be divvied up among states this year. Ohio received a similar amount of dollars under the program last year during the first round of funding. (See Gongwer Ohio Report, April 20, 2017)

"This is good news for Ohio, and these new funds will help our efforts to combat the heroin and prescription drug epidemic gripping our state," U.S. Sen. Rob Portman (R-Terrace Park) said in a statement. "This is another positive step forward, but we must do more, and that's why I continue to push for common-sense solutions like the STOP Act and CARA 2.0 that will help us turn the tide of addiction in Ohio and around the country."

U.S. Sen. Sherrod Brown (D-Cleveland) likewise applauded word of the additional funding.

"For too long, Ohio communities have been desperate for the federal government to step up and provide the necessary resources to effectively combat the opioid epidemic," Sen. Brown said. "While we know there is more work to be done, this funding is a meaningful step forward for Ohio. It's important that the state work to get this funding out to local communities quickly as they continue to battle this epidemic."

The dollars are aimed at boosting evidence-based programs and are overseen by the U.S. Department of Health and Human Services.

Emergency: Sens. Brown and Portman also welcomed President Donald Trump's approval of Gov. John Kasich's request for disaster assistance following largescale flooding in February. (See Gongwer Ohio Report, April 17, 2018)

Sen. Brown said the declaration "will go a long way in helping reassure Ohio communities impacted by last month's devastating floods that they are not alone."

Sen. Portman said, "It will allow our affected communities to get much-needed federal assistance following this winter's terrible storms."

Wright-Patterson: Ohio delegates urged the Pentagon to pick the Dayton-area Air Force base to house the F-35 Hybrid Product Support Integrator Organization.

Wright-Patterson is "uniquely qualified" to handle that role, which could mean an additional 400 jobs, all of Ohio's senators and representatives wrote to Secretary of the Air Force Heather Wilson.

"Based on the criteria used during the strategic basing process, we believe WPAFB's workforce makes the base the logical location for HPSI," the lawmakers wrote. "The basing process specifically requires acquisition professionals who are Defense Acquisition Workforce Improvement Act certified with tactical fighter support experience, and WPAFB's workforce of engineers, programs managers, logistics managers, and contracting personnel would provide HPSI with an exceptional staff."

Chamber Of Commerce Endorses Issue 1; P&G, Key, More Report Financial Results; Toledo Businesswoman Added To SBAC

The Ohio Chamber of Commerce has thrown its support behind a ballot issue aimed at reforming the state's redistricting guidelines.

The group's board of directors earlier this week voted to support Issue 1.

"The Ohio Chamber has long recognized the need for sensible changes to the redistricting process and we are pleased to join the bipartisan coalition supporting State Issue 1," President & CEO Andrew E. Doehrel said in a statement. "Job creators know the value of a fair and competitive playing field in the marketplace, and State Issue 1 will bring this element of necessary, healthy competition to congressional campaigns, as well."

Mr. Doehrel said the group twice in the past 15 years opposed redistricting efforts that "did not represent a consensus approach."

Procter & Gamble: The Cincinnati-based company saw net sales of \$16.3 billion in the third quarter, up by 4% from the previous year.

Organic sales increased 1% for the quarter ended March 31, P&G reported. Diluted net earnings per share were \$0.95, an increase of 2%.

Operating cash flow was \$3.4 billion for the quarter, while adjusted free cash flow productivity was 95%, according to the company.

P&G returned \$3.2 billion to shareholders via \$1.8 billion of dividend payments and \$1.4 billion of common stock repurchase.

"We delivered modest top- and bottom-line growth in a challenging macro environment in the third quarter," Chairman, President and CEO David Taylor said in a statement. "We have large businesses in several difficult markets. The ecosystems in which we operate around the world are being disrupted and transformed. We will change at an even faster rate -- winning through superiority, cost and cash productivity and a strengthened organization and culture."

KeyCorp: The Cleveland-based company reported. \$402 million in net income, or \$0.38 per common share, in the first quarter.

The financial services company reported net income of \$296 million over the same period in the previous year.

"First quarter was a good start to the year, with continuing momentum in our core businesses, as we grew and expanded relationships with our targeted clients," Chairman and CEO Beth Mooney said in a statement. "Revenue increased over 3% from the same period last year, driven by a higher net interest income, solid loan growth and stronger fee income."

First Financial: The Cincinnati-based bank reported net income of \$30.5 million, or \$0.49 per diluted common share, in the first quarter.

First financial reported net income of \$24.8 million, or \$0.40 per diluted common share, in the previous quarter.

"We are extremely pleased with our strong first quarter performance, representing our 110th consecutive quarter of profitability and top-quartile level returns," Executive Chairman Claude Davis said in a statement. "We are also excited about our recent merger with MainSource which closed on April 1st. We welcome our new colleagues from MainSource and together look forward to building an even stronger company going forward."

SBAC: Lt. Gov. Mary Taylor has appointed Jennifer Zalecki to the Small Business Advisory Council.

Ms. Zalecki serves as president and CEO of Toledo-based Battery Wholesale. The company, which Ms. Zalecki's father founded in 1983, operates seven retail stores in the greater Toledo area.

"Jennifer has been an effective small business advocate through her service to the Toledo Regional Chamber of Commerce and has demonstrated her high business acumen through the success of her own company," Lt. Gov. Taylor said.

Governor's Appointments

Ohio Thoroughbred Race Fund Advisory Council: Kimpton E. Williams of Waynesville for a term beginning April 20, 2018, and ending January 31, 2021.

State Board of Emergency Medical, Fire, and Transportation Services: Capt. Kevin T. Uhl of Sycamore Township for a term beginning April 20, 2018, and ending November 12, 2019.

Public Benefits Advisory Board: Dasmine Wright of Columbus for a term beginning April 20, 2018, and ending June 30, 2018.

Supplemental Agency Calendar

Monday, April 23

Human Trafficking Commission, 18th Fl., 150 E. Gay St., Columbus, 2 p.m.

Friday, April 27

Accountancy Board, 77 S. High St., Conference Room West B & C, 31st Floor, Columbus, 10 a.m.

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Tom Gallick, Staff Writers

Click the  after a bill number to create a saved search and email alert for that bill.

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Event Planner

Saturday, April 21

YMCA Youth & Government High School State Assembly 2, Statehouse,
Columbus

Tuesday, April 24

OAHU Annual Day at the Statehouse, Sheraton Columbus Hotel at Capitol Square,
75 East State Street, Columbus

Rep. Andy Brenner (R-Powell) fundraiser, Athletic Club of Columbus - Parlor A/B,
136 E. Broad Street, Columbus, 11:30 a.m., (Sponsor: \$1,000 | Host: \$500 | Guest:
\$350 to Brenner for Ohio)

Sen. Matt Huffman (R-Lima) & Sen. John Eklund (R-Chardon) fundraiser, Pins, 141
N. 4th Street, Columbus, 5 p.m., (Sponsor: \$1,000 | Host: \$500 | Guest: \$350 to
Matt Huffman for Ohio and/or Friends of John Eklund)

House Speaker Cliff Rosenberger (R-Clarksville) fundraiser, Club 185, 185 E.
Livingston Ave., Columbus, 5 p.m., (Chair: \$3,700; Sponsor: \$1,370 to Committee
to Elect Cliff Rosenberger)

Ohio Chemistry Technology Council's 30th Annual Legislative Reception,
Renaissance Columbus Downtown Hotel, 50 North Third Street, Columbus, 5:30
p.m.

Ohio Aggregates and Industrial Minerals Association 20th Annual Legislative
Reception, Statehouse Atrium, Columbus, 5:30 p.m.

Wednesday, April 25

American Heart Association/American Stroke Association Advocacy Day, Riffe
Center, 77 S. High St., Davidson Theatre, Columbus

Sen. Bill Beagle (R-Tipp City) and Sen. Peggy Lehner (R-Kettering) fundraiser,
Pins, 141 N. 4th Street, Columbus, 5 p.m., (Sponsor: \$1,000 | Host: \$500 | Guest:
\$350 to Citizens for Bill Beagle and/or Citizens for Lehner)

Sen. Scott Oelslager (R-N. Canton) & Sen. Frank Hoagland (R-Adena) fundraiser,
Athletic Club of Columbus - 136 E. Broad Street, Columbus, 5 p.m., (Checks to
Oelslager for Ohio Committee and/or Hoagland for Ohio)

Rep. Jim Hughes (R-Columbus) fundraiser, Valters at the Mannerchor, 976 S. High
St., Columbus, 5:30 p.m., (Host: \$1,000, Sponsor: \$500; Patron: \$250, Individual:
\$75 to Committee for Jim Hughes)

Thursday, April 26

Deadline to file pre-primary campaign finance reports

Rep. Glenn Holmes (D-McDonald) fundraiser, Vernon's Italian Ristorante, 720
Youngstown-Warren Road, Niles, 5 p.m., (Event Sponsor \$1500, Supporter \$1000,

Friend \$500, Table Sponsor \$300, Individual \$60 to Committee to Elect Glenn Holmes)

Rep. Nathan Manning (R-N. Ridgeville) fundraiser, Berry's Restaurant, 15 W. Main Street, Norwalk, 5 p.m., (Sponsor: \$250 to Nathan Manning for Ohio)

Rep. Anne Gonzales (R-Westerville) fundraiser, Aloft Columbus Westerville, 32 Heatherdown Drive, Westerville, 5:30 p.m., (Sponsor: \$1,000 | Host: \$500 | Guest: \$250 to Citizens for Anne Gonzales)

Rep. Hearcel Craig (D-Columbus) fundraiser, The Lincoln Caf~~e~~, 740 E. Long St., Columbus, 5:30 p.m., (\$250, \$100, \$50, \$25 to Friends of Hearcel F. Craig)

Tuesday, May 1

Lobbyists/Employers can begin filing January-April 2018 Activity & Expenditure Reports

Wednesday, May 2

Pro-life Legislative Day

Thursday, May 3

Rep. Kristina Roegner (R-Hudson) fundraiser, Portage Country Club, 240 N. Portage Path, Akron, 5:30 p.m., (Chair: \$5,000 | Sponsor: \$2,500 | Host: \$1,000 | Guest: \$250 to Kristina Daley Roegner for Ohio)

Tuesday, May 8

Primary election day

Thursday, May 10

YMCA Youth & Government Model United Nations, Statehouse, Columbus

Friday, May 11

YMCA Youth & Government Model United Nations, Statehouse, Columbus

Saturday, May 12

YMCA Youth & Government Model United Nations, Statehouse, Columbus

Tuesday, May 15

Deadline for most public officials and employees to file personal financial disclosure statements.

Ohio Association of Health Plans Annual Legislative Reception, Statehouse Rotunda, Columbus, 5 p.m., (Please RSVP to Stacy Bewley at sbewley@oahp.org or for any questions call (614) 228-4662.)

Rep. John Rogers (D-Mentor-on-the-Lake) & Rep. John Patterson (D-Jefferson) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (Sponsor Levels: Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Rogers and Committee to Elect John Patterson. RSVP with Jenna Gravalis at 551-429-9895 or jgravalis@ohiodems.org)

Wednesday, May 16

Ohio Auctioneers Association legislative day
Rep. Michele Lepore-Hagan (D-Youngstown) fundraiser, Einstein Bros. Bagels, 41 S. High Street, Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Michele Lepore-Hagan for State Representative)
2018 Arts Day & Governor's Awards for the Arts in Ohio Luncheon, The Columbus Athenaeum, 32 North Fourth Street, Columbus, 12 p.m.

Tuesday, May 22

Ohio Cable Telecommunications Association Legislative Reception & Technology Demo, 77 S. High St., Capitol Theater Lobby, Columbus, 5 p.m.
Rep. David Leland (D-Columbus) fundraiser, Market 65, 65 East State Street, Columbus, 5:30 p.m., (Guest - \$250; Host - \$500; Sponsor - \$1,000; Gold Sponsor- \$2,500 to Friends of David Leland)

Wednesday, May 23

Rep. Kent Smith (D-Euclid) fundraiser, Einstein Bros. Bagels, 41 S. High Street, Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Kent Smith Committee)
Rep. John Becker (R-Union Township) fundraiser, Ringside, 19 N. Pearl St., Columbus, 11:30 a.m., (Host: \$1000; Sponsor:\$500; Host:\$350 to Friends of Becker)
Rep. Doug Green (R-Mt. Orab) fundraiser, OHROC , 21 W Broad St. 7th Floor, Columbus, 4:30 p.m., (Host: \$1000; Sponsor: \$500; Host: \$350 to Committee to Elect Doug Green)

Thursday, May 24

Rep. Rick Perales (R-Beavercreek) golf outing fundraiser

Thursday, May 31

JLEC Deadline for filing January-April 2018 Activity & Expenditure Reports

Friday, June 1

Sen. Gayle Manning (R-N. Ridgeville) & Rep. Nathan Manning (R-N. Ridgeville) golf outing fundraiser, Bob-O-Link Golf Course, 4141 Center Road (Rt. 83), Avon, 9:30 a.m., (9:30am Registration | 10:30am Shotgun Start | 3:30pm Appetizers and Awards; , Avon, Ohio 44011 Eagle Sponsor: \$1,500 | Birdie Sponsor: \$750 |

Foursome: \$400 | Hole Sponsor: \$200 | Individual Golfer: \$125 to Committee to Elect Gayle Manning and/or Nathan Manning for Ohio)

Monday, June 4

Sen. Bob Peterson (R-Sabina) golf outing fundraiser, Crown Hill Golf Club, 9500 U.S. 22, Williamsport, 12 p.m., (12:00pm Lunch | 12:30pm Shotgun Start | 5:00pm Dinner. Tournament Sponsor \$2,000 | Eagle Sponsor: \$1,000 | Birdie Sponsor: \$500 | Hole Sponsor: \$200 | Individual Golfer: \$100 | Dinner Only: \$50 to Peterson for Good Government)

Friday, June 8

House Speaker Cliff Rosenberger (R-Clarksville) golf outing fundraiser

Monday, June 11

**Rep. Scott Ryan (R-Newark) golf outing fundraiser
Ohio's 2018 Opiate Conference: Strengthening Ohio's Communities, Hyatt Regency, 350 N. High St., Columbus**

Tuesday, June 12

Ohio's 2018 Opiate Conference: Strengthening Ohio's Communities, Hyatt Regency, 350 N. High St., Columbus

Friday, June 15

Deadline to file post-primary campaign finance reports

Monday, June 18

Sen. President Larry Obhof (R-Medina) golf outing fundraiser

Monday, June 25

**Rep. Brian Hill (R-Zanesville) golf outing fundraiser
Ohio Cable Telecommunications Association Golf Outing, The Lakes, 6740 Worthington Rd., Westerville**

Monday, July 16

Rep. Bill Reineke (R-Tiffin) golf outing fundraiser

Thursday, July 19

Sen. Matt Dolan (R-Chagrin Falls) Batter Up fundraiser

Friday, July 20

Rep. Tom Patton (R-Strongsville) golf outing fundraiser

Sunday, July 22

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Monday, July 23

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Tuesday, July 24

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Wednesday, July 25

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Sen. Rob McColley (R-Napoleon) golf outing fundraiser

Thursday, July 26

Rep. Craig Riedel (R-Defiance) golf outing fundraiser

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Friday, July 27

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Tuesday, July 31

Deadline to file semi-annual campaign finance reports

Friday, August 3

Deadline for statewide candidates to file July campaign finance reports

Tuesday, August 7

Special election for 12th Congressional District seat

Thursday, August 16

Sen. Bob Hackett (R-London) golf outing fundraiser

Monday, August 20

Rep. Laura Lanese (R-Grove City) golf outing fundraiser

Thursday, August 23

Hamilton County GOP State Legislative golf outing fundraiser

Saturday, September 1

Lobbyists/Employers can begin filing May-August 2018 Activity & Expenditure Reports

Thursday, September 6

Deadline for statewide candidates to file August campaign finance reports

Monday, October 1

JLEC Deadline for filing May-August 2018 Activity & Expenditure Report

Wednesday, October 3

Deadline for statewide candidates to file September campaign finance reports

Thursday, October 25

Deadline to file pre-general campaign finance reports

Tuesday, November 6

General election day

Saturday, December 1

Lobbyists can begin renewing Legislative, Executive and Retirement System registrations for 2019

Friday, December 14

Deadline to file post-general campaign finance reports

Monday, December 31

All 2018 Legislative, Executive and Retirement System lobbying registrations expire in OLAC

Thursday, January 31

Deadline to 2018 annual campaign finance reports

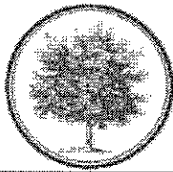
Deadline to 2018 annual campaign finance reports

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From: The Buckeye Institute
Sent: Monday, April 23, 2018 7:04 AM
To: Kasych, Shawn
Subject: Using Health Care Waivers to Reform a Broken System, By Rea S. Hederman Jr.



THE BUCKEYE INSTITUTE

Using Health Care Waivers to Reform a Broken System

By Rea S. Hederman Jr.

April 20, 2018

Actions by the federal government have taken health care out of the hands of state officials and centralized it in Washington. The result: families are paying ever higher health insurance premiums for coverage they often do not want or need. This means less money to pay other bills, college tuition, or even buy food. And although federal policies to expand Medicaid had the best of intentions, the program has been drastically altered and is having the unintended consequence of trapping people in low-paying jobs or encouraging them to leave the workforce or work fewer hours so they qualify for Medicaid.

The good news is, this trend is reversing and the federal government is giving states new flexibility to fix their health insurance markets. While having to ask the federal government for permission is not the optimal strategy, it is an improvement, and Ohio is taking advantage of this opportunity.

On March 30, Ohio became the first state to file a **state innovation or 1332 waiver**, which will eliminate the individual mandate penalty for Ohioans for the next five years. If approved, the waiver will protect Ohioans from being forced to buy a product they do not want or need. In fact, in November of 2011 Ohioans **overwhelmingly passed** a state

constitutional amendment opposing this federal mandate, recognizing that they know better than the federal government how to spend their own money.

While Ohio is the first state to use the 1332 waiver to eliminate the individual mandate, other states have used the waivers to try and stabilize their individual insurance markets. While Ohio's 1332 waiver request is a good start, the state must continue to utilize the waiver process to improve our health care system. For example, Ohio should look for ways to waive the employer mandate and should push the Trump administration to **issue new guidance** on how innovation waivers can be used to exempt employers from the mandate fine. These changes would enable Ohio businesses to provide more job opportunities to Ohioans.

The 1332 waiver isn't the only one Ohio is pursuing. The state is finalizing its application for the Medicaid community engagement waiver, which, as we said in our **public comments**, will help healthy, able-bodied adults gain work experience and learn new skills. These new skills will result in higher lifetime earnings and income, and as we learned from the bipartisan welfare reform law of the 1990s, will encourage recipients to work.

Ohio's Medicaid community engagement waiver is an important, but only a single, step in Medicaid reform. Neighboring states like Kentucky and Indiana have submitted stronger reform packages that combine community engagement with other reforms such health savings accounts, better benefits for recipients who engage in healthy behaviors, and cost-sharing provisions. These reforms will help Medicaid recipients obtain private coverage, which has been shown to offer **better care than Medicaid**.

To serve Ohioans best, policymakers should develop a comprehensive Medicaid reform plan with the goals of helping Medicaid recipients obtain and keep private coverage, and getting access to the care that meets their needs.

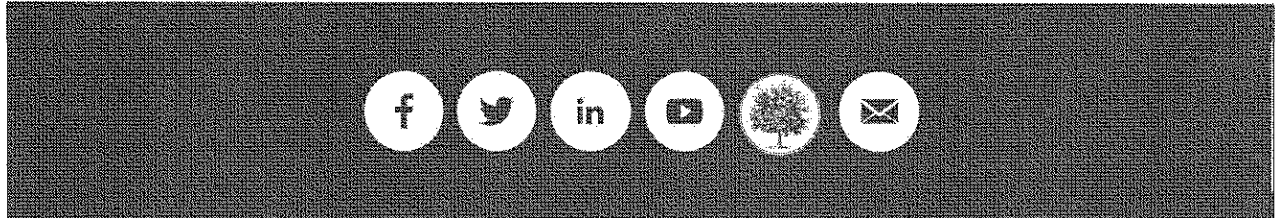
Up until this point, the federal government's approach to health care has been a one-size-fits-all solution. This approach has not worked and does not give states the flexibility they need to fix or make improvements to their health insurance markets. It now appears that the federal government is willing to work with the states and Ohio should seize this opportunity to make bold improvements to its system that will better serve Ohioans and their families.

*Rea S. Hederman Jr. is executive director of the Economic Research Center at The Buckeye Institute and vice president of policy. A nationally recognized health care policy expert, Hederman is the co-author of **Returning Health Care Power to the States**.*

###

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Sent by info@buckeyeinstitute.org

From: Capitol Letter

Sent: Tuesday, April 24, 2018 6:15 AM

To: Kasych, Shawn

Subject: Temporary guardians' rights would be spelled out under new Senate bill

Tuesday, April 24, 2018

[View in Browser](#)



Capitol Letter

Laura Hancock and Jeremy Pelzer



Rotunda Rumbblings

For temporary guardians: A bill introduced Monday would clarify that families that briefly take in children can sign school permission slips, take the kids to the doctor and receive other guardian rights. Under Senate Bill 291, the guardians would have to be trained by organizations that specialize in temporary child placements, such as the Cincinnati area's Safe Families for Children. For years that organization has kept kids in their neighborhoods and schools while their parents undergo drug or alcohol treatment, look for a new home after an eviction or find work, said sponsor Sen. Bill Coley. The bill also states that child services agencies couldn't investigate parents for abandoning their kids if they agree to temporarily place their kids through an organization.

Beyond methadone: A new bill would expand the types of medicinal treatments that opioid addicts can get in Ohio. State law allows doctors, pharmacists, community addiction centers and other providers to only administer drugs known as opioid antagonists. But in House Bill 601, sponsor Rep. Tim Ginter removed the words "opioid antagonist" and replaced them with the word "drug," to cover new medicines and technologies that are coming to market, he said. The Ohio Pharmacists Association hasn't yet taken a position on the bill.

Doubling down: Despite being sued for defamation, the pro-Ryan Smith Honor and Principles PAC is back with another ad attacking Rep. Larry Householder, Smith's rival to become the next Ohio House speaker. The 30-second spot, airing in the Columbus market, renews its attack on Householder for being the subject of a 2004 FBI investigation. Last week, Householder filed suit against Honor and Principles over its first ad, which had a similar theme. As of Monday, the Virginia-based group has spent a total of \$170,000 on anti-Householder TV and radio ads in the Columbus market, according to political ad tracker Medium Buying (whose founder, Nick Everhart, is a defendant in Householder's lawsuit).

That's not all... The Honor and Principles PAC is also the target of a Federal Election Commission complaint filed Monday by the watchdog group Citizens for Responsibility and Ethics in Washington. As

cleveland.com's Andrew Tobias reports, CREW alleges that a March 28 contribution from "LZP LLC" in Columbus to the PAC breaks federal elections law, which bars someone from making a political contribution in someone else's name.

Shine a little light: State Rep. Kathleen Clyde, a Democratic candidate for secretary of state, has a new bill designed to shed light on dark money used in Ohio political campaigns. House Bill 610 (aka the Democracy Is Strengthened by Casting Light On Spending in Elections Act, or DISCLOSE Act) would require 501(c)4s and LLCs to report their contributors, prohibit state political spending by foreign individuals and corporations, and mandate that campaign-finance reports include details on the sources of a political group's funding. The bill, however, has yet to attract any Republican co-sponsors - something almost always needed for a bill to move through the GOP-dominated legislature.

Leneghan wins more endorsements: Republican 12th Congressional District candidate Melanie Leneghan on Monday announced the backing of the Family Research Council Action PAC, as well as ex-Ohio Secretary of State Ken Blackwell. The endorsements come as the Liberty Township trustee debuted a new TV ad trumpeting her as a Christian conservative who backs President Donald Trump.

SEIU 1199 picks Rich: Democratic gubernatorial hopeful Rich Cordray on Monday picked up an endorsement from the Service Employees International Union District 1199.

Good marks: The East Central Ohio Education Association -- representing teachers in Carroll, Columbiana, Holmes, Stark, Wayne and Tuscarawas counties -- named Democratic Sen. Joe Schiavoni, who is also running for governor, its 2018 Friend of Education.

Stories We're Talking About

Take a number: Who is the biggest career politician in Ohio? If you ask the candidates, you'll get any number of answers. But cleveland.com's Seth A. Richardson developed a formula to help determine mathematically where all the statewide candidates rank.

Cleveland love: Cleveland Mayor Frank Jackson and a dozen members of City Council endorsed Richard Cordray for governor, Richardson writes. The local officials said Cordray was the only candidate who could help them recover from budget crunches due to tax cuts at the state level.

Blow the whistle: A former employee for the Electronic Classroom of Tomorrow said he told the Ohio Department of Education that ECOT officials told staff to mess with enrollment numbers using software, according to the AP's Julie Carr Smyth. State Sen. Joe Schiavoni, a Democrat running for governor, called for a criminal investigation, according to The Vindicator.

Money pot: The Controlling Board on Monday approved \$5.16 million for the state's medical marijuana program, reports cleveland.com's Jackie Borchardt. Of that, \$2 million will go toward legal fees associated with lawsuits and administrative appeals over the license application process.

Drama: Columbus Rep. Bernardine Kennedy Kent is beefing with House Minority Leader Fred Strahorn and the Ohio Legislative Black Caucus, according to the Columbus Dispatch's Jim Siegel. OLBC President Stephanie Howse said Kennedy Kent forged signatures on OLBC letterhead when sending a public records request to Columbus Mayor Andrew Ginther.

The contenders: By now, you probably know that Jim Renacci is leaving his 16th Congressional District seat, but you might not know who is running to replace him. However, cleveland.com's Sabrina Eaton has you covered in her introduction to all the candidates.

Five Questions

Lawrence Cohen, a New Albany attorney, is a Republican candidate for Ohio's 12th Congressional District.

1. As a first-time political candidate, why are you running for Congress, of all races?

"I've sat here and watched what's going on, and I've been frustrated with the politics as usual – the establishment always deciding who's best for us, the big money in politics and feeling like my representative was owned by special interests and was representing them more than the voters. So I decided to get in the race."

2. How would you describe yourself politically?

"I call myself a common-sense conservative. I think if you look at the people in the race today, I'm not one of those candidates that's trying to position myself as the most conservative. ...I think you have people out there that are willing to blindly follow [U.S. Rep.] Jim Jordan or [President] Donald Trump, and I'm really in this to make sure that the people of the 12th Congressional District are represented."

3. What's one thing that you disagree with Pat Tiberi on, if anything?

"A couple years ago, there was a bill that he voted no on that would have given mental health the same level, the same status in society as physical health. And I think that was a mistake. I think mental health is a real issue, despite what some people want to say. ...The other one is, topically in the news, his endorsement of Troy Balderson. I think that we're back into the establishment politics."

4. Tell me about your background.

"After graduating from Ohio State – the first time ? 3 I worked for [the now-defunct accounting firm] Coopers & Lybrand. ...And did some auditing work for them. Then I went back to Ohio State and got an MBA and a law degree, and was a practicing attorney, doing a lot of business and tax work for about 10 years. After that, I got into the corporate world and worked for three different companies."

5. You have "dotted the I" as a member of the Ohio State marching band. How often does that come up? Is that something people recognize you from?

"When I was knocking on doors in Bellville, I noticed that a guy had some

Buckeye stuff on his porch. And so I said, 'If it matters to you, I also dotted the "I" in Script Ohio,' And he's like, 'Oh, I was in the marching band, too.' It was a great time in my life. ...[Playing in the band] taught me to get along with everybody."

What's Going On

7 a.m. – Ohio Chemistry Technology Council's 30th annual conference: Events include a legislative reception at 5:30 p.m. *Renaissance Columbus Downtown Hotel, 50 N. 3rd St.*

9 a.m. to 5 p.m. – Ohio Association of Health Underwriters Annual Day at the Statehouse. *Sheraton Columbus Hotel at Capitol Square, 75 E. State St.*

11 a.m. – Gov. John Kasich to make workers' comp announcement: The governor is slated to be accompanied by Sarah Morrison, administrator/CEO of the Ohio Bureau of Workers' Compensation. *Land-Grant Brewing Company, 424 W. Town St.*

11:30 a.m. – Rep. Andy Brenner fundraiser: The Powell Republican is seeking donations between \$350 and \$1,000. *Parlor A/B, Athletic Club of Columbus, 136 E. Broad St.*

2 p.m. – Mary Taylor to campaign in Cleveland area, Toledo: The lieutenant governor and Republican gubernatorial candidate has stops planned in North Olmsted at 2 p.m. and Toledo at 6:30 p.m.

3 p.m. – Mike DeWine and Jon Husted to campaign in Belmont County: The Republican gubernatorial ticket plans to campaign door-to-door with Ohio voters. *Belmont County GOP headquarters, 7 W. Main St., St. Clairsville.*

5 p.m. – Sens. Matt Huffman and John Eklund fundraiser: The Republicans are seeking donations between \$350 and \$1,000. *Pins, 141 N. 4th St.*

5:30 to 7:30 p.m. – Ohio Aggregates & Industrial Mineral Association

legislative reception. Atrium, Ohio Statehouse.

Birthdays

Jen House, Ohio Young Democrats president

Straight From The Source

"If we don't get this data, someone might get killed."

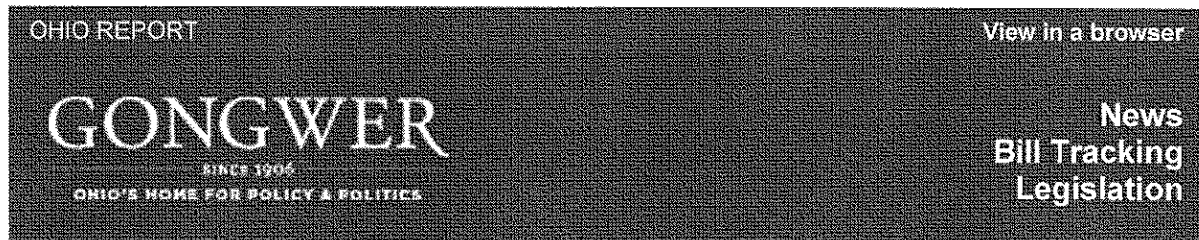
- Gov. John Kasich, while signing an executive order on Monday to help ensure information about criminal convictions and mental-health adjudications is added in a more timely way to state and federal databases used to identify those disqualified from purchasing guns.

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From: Gongwer News Service
Sent: Wednesday, April 25, 2018 6:11 PM
To: Kasych, Shawn
Subject: Ohio Report, Wednesday, April 25, 2018
Attachments: Apr25.htm; 180425dayplan.htm



OHIO REPORT WEDNESDAY, APRIL 25

Senate Leader Points To Variety Of Proposals After Kasich Urges Gun Safety Bill Vote

PUCO Approves Modified AEP Rate Settlement

House GOP To Vote May 15 On Next Speaker

Coal Group, Farm Bureau Urge Panel To Maintain Industry Tax Exemptions

Supreme Court Keeps In Place Rulings On Transfer Agreement, Autopsies

High Court Clarifies Appellate Review Of Arbitration Appeals

Cordray Campaign Pledges To Protect, Expand Veterans Benefits

Obhof OK With Legislative Look At E-School Enrollment Rules; OSU Joins Anti-Poverty Effort; Portman Bill Targets Tech Teacher Training; Auditor Issues Bus Study...

Space Embarks On Tour To Highlight Corruption; Cordray Launches New Ad; Yuko Gets SEIU Backing...

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Day Planner

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Volume #87, Report #80 -- Wednesday, April 25, 2018

Senate Leader Points To Variety Of Proposals After Kasich Urges Gun Safety Bill Vote

Gov. John Kasich wants to see a set of gun safety proposals he is supporting come up for a vote, but one legislative leader said his chamber is working through several firearm-related issues.

The governor said Tuesday he hoped to see a vote on a proposal (HB 585 & SB 288) to make several changes to the state's gun laws. (See Gongwer Ohio Report, April 5, 2018)

Gov. Kasich pointed to the deadly shooting over the weekend at a Tennessee Waffle House restaurant, saying the state needs a "red flag" law to seize guns from people determined to be dangerous. That someone was able to stop the shooter while he reloaded also shows the need for limiting the capacity of magazines, the governor said.

The governor's proposals, particularly the "red flag" language creating extreme risk protection orders, have met pushback from some Republican legislators. (See Gongwer Ohio Report, April 10, 2018)

Gov. Kasich said he still expects the proposal to become law.

"We're going to get this package through," he said. "This is going to happen. It's not going to be easy to duck and run away and put your head in the sand. I will not let that happen. Maybe they can stop it, but it isn't going to be without a lot of people feeling a lot, a lot of pressure."

The governor said the gun safety proposal would likely pass if brought up for a vote.

"Bring it up and have a vote on it," he said. "We'll see where the votes are. Let's see where the majority of the caucus is. I guarantee you, you put this gun safety on the Senate floor, it passes. We need a vote."

Senate President Larry Obhof (R-Medina) said Wednesday he doesn't expect that exact proposal to come to the floor of his chamber, but that members are looking at several different items that could eventually pass.

"We have a very open process, we will look at a number of different changes related to firearms, some of which are in line with what the governor is looking at, some of which are longstanding problems that our caucus has felt we had a need to fix," he said.

The Senate leader pointed to legislation ranging from one sponsored by two Republicans to shift the burden of proof in self-defense cases, among other changes (SB 180), to proposals by Democrats to ban bump stocks (SB 219) and to create extreme risk protection orders (SB 278).

"Whether anything passes or whether a lot of it passes, we'll decide as a caucus," Sen. Obhof said.

The risk protection order measure, sponsored by Sen. Joe Schiavoni (D-Boardman), is one where Sen. Obhof said he's spoken with the sponsor and with the National Rifle Association in an effort to work out differences.

"Everything's on the table," he said.

PUCO Approves Modified AEP Rate Settlement

The Public Utilities Commission of Ohio's approval Wednesday of AEP Ohio's new rate plan sets the stage for what Chairman Asim Haque believes could be the state's longest period of rate stability in the last decade.

Mr. Haque made that assessment moments after the commission voted 4-0 to modify and approve a wide-ranging rate settlement agreement filed last year by AEP and 19 interested party groups. Commissioner Daniel Conway recused himself.

In addition to establishing rates until May 2024, the Electric Security Plan includes a \$21.1 million "Smart City Rider" to fund electric vehicle charging station development and microgrid investment.

If the commission later this year approves Duke Energy's own proposed settlement rate plan, rates would be stabilized for all four of Ohio's major electric utilities until the mid-2020s, Mr. Haque said.

"This decision represents stability for AEP customers," Mr. Haque said. "ESPs are big cases. They are time intensive and they are very litigious. To have stability in the AEP footprint...is a very good thing for AEP's current customers and for job creation in AEP's service territory."

The commission's order, which may still be appealed by opponents, has been years in the making.

AEP in 2016 filed its initial proposal but critics said that plan could pave the way for a 120% increase - from \$8.40 to \$18.40 a month - for affected customers. (See Gongwer Ohio Report, May 16, 2016)

The company filed a settlement agreement last year with 19 parties including the Ohio Manufacturers' Association, the Ohio Environmental Council, Industrial Energy Users-Ohio, the Natural Resources Defense Council to address those concerns. AEP has said

the stipulation would lead to a less than 50-cent increase in average monthly bills. (See Gongwer Ohio Report, August 28, 2017)

Julie Sloat, AEP Ohio president and chief operating officer, said in a statement the plan responds to consumer requests.

"Our customers want reliability and access to advanced technologies, such as EV charging stations, microgrids and renewable energy resources," she said.

"Our plan allows us to bring these services, which also will support economic development in Ohio, to customers across the state. The ESP enables us to continue our investments in the electric grid to provide reliable power and help advance the new technologies and cleaner energy that our customers want."

Dan Sawmiller, the NRDC's Ohio energy policy director, said one surprising modification made by the commission in its order is the removal of a provision that would have enabled AEP to push back that requested 120% increase until 2020.

Other wins from supporters' point of view is a \$10 million rebate program for electrical vehicle charging stations, \$10.5 million for microgrid projects, and regulatory tweaks clearing the way for 900 megawatts of clean energy in Appalachia, Mr. Sawmiller said.

"AEP's now going to be positioned to respond to the expectations of Ohio customers that have been pushing AEP to invest in more clean energy options for years," Mr. Sawmiller said. "On top of that there are some pilot programs in the stipulation and the data and the insight we're going to gain...create the groundwork for a lot of forward-looking progress."

The agreement still has its detractors, including the Ohio Consumers' Counsel, which has argued the deal lacks specifics on customer costs and that the "Smart City Rider" should have been tackled through a separate rate case. The OCC last month petitioned the PUCO to reopen the case to enable further debate. (See Gongwer Ohio Report, January 2, 2018)

"With the PUCO's approval of AEP's electric security plan today, the trend of charging Ohioans to subsidize outdated and non-competitive power plants continues," OCC spokeswoman Molly McGuire said. "And AEP's plan will also leave consumers paying subsidies for electric vehicle charging, microgrids, large customers (interruptible rates), automakers (bill credits), and possibly renewable energy."

The OCC has continued to press lawmakers to pass a bill (HB 247) banning Electric Security Plans, which it says deprive consumers of the benefits of competitive markets.

But in its order the PUCO determined that the ESP is "more favorable in the aggregate" than a market rate offer, which is the statutory guideline by which the commission evaluates ESPs.

"The ESP proposed in the stipulation affords customers in AEP Ohio's service territory numerous benefits and advances many of the state policy objectives enumerated in (Ohio Revised Code)," the PUCO's order reads.

Commissioner Lawrence Friedeman issued a concurring opinion elaborating on the aforementioned statutory provision - O.R.C. 4928.02 (C) - which establishes state policy as promoting customer choice, encouraging innovation and facilitating the development of the competitive retail electric market through flexible regulatory treatment.

Mr. Friedeman opined that market distortions resulting from cost imbalances might undermine that code section and that those distortions may "erect market barriers which have the tendency not to promote retail competition but rather to have an anti-competitive impact or in an extreme eventuality to re-monopolize the retail market inconsistent with enunciated state policy."

House GOP To Vote May 15 On Next Speaker

House Republicans will vote next month to choose the next speaker, and it is likely that the results of primary elections will influence who gets the gavel.

The majority caucus will vote at noon Tuesday, May 15, to choose its next leader, Speaker Pro Tem Rep. Kirk Schuring (R-Canton) said in a memo to members.

The special caucus will only consider votes for a new speaker to fill out the remainder of the year, not any other leadership positions, Rep. Schuring said.

The new speaker will replace Cliff Rosenberger, who resigned earlier this month amid an investigation by the FBI. (See Gongwer Ohio Report, April 12, 2018)

The speaker's race for the rest of the year could come down to the two candidates who have already been running for the job next year: Rep. Ryan Smith (R-Bidwell) and Rep. Larry Householder (R-Glenford). Another possibility is that the caucus will select a placeholder speaker to finish out the year, and Rep. Dorothy Pelanda (R-Marysville), who is term-limited, has expressed interest in that role.

Rep. Smith has said he's confident he can win the speaker's chair when a vote is called. (See Gongwer Ohio Report, April 13, 2018)

He and Rep. Householder have both been supporting candidates in primary races in an effort to secure a majority in the next General Assembly. (See Gongwer Ohio Report, January 30, 2018)

If the race comes down to Rep. Smith and Rep. Householder, a likely factor in the race will be the results of the primary election, to be held a week before the speaker vote.

The caucus could also choose a placeholder speaker, likely a term-limited member. Rep. Pelanda said she has discussed the possibility that she run to finish out the rest of

the year. Unlike the other hopefuls, she would be able to do so without the distraction of running in another election.

"I truly believe that it's in the best interest of the members of the Ohio House of Representatives that we have an interim leader to finish out the business of the 132nd General Assembly," she said in an interview.

She said she has not aligned herself with either of the other speaker candidates and said she has had "thoughtful, encouraging" conversations with fellow members about running.

"We've got three weeks until the election and the members will continue to be thoughtful about what is in the best interest going forward for this assembly," she said.

Coal Group, Farm Bureau Urge Panel To Maintain Industry Tax Exemptions

Existing tax breaks supporting the coal and agriculture sectors should be preserved, stakeholder groups told the Tax Expenditure Review Committee Wednesday.

The Ohio Coal Association and the Ohio Farm Bureau Federation were among a handful of interested groups arguing in favor of continuing certain tax exemptions as the panel considers whether to preserve or scrap them. (Testimony)

Their arguments are essentially the same - that their respective industries are experiencing trying times and therefore need all the assistance they can get.

OCA President Mike Cope said the coal industry is just now beginning to recover from the "relentless war on coal" waged by the Obama Administration.

"Any tax levied on the purchase of new equipment would be devastating to our recovering industry," Mr. Cope said. "State policy that could increase the cost of coal mining could translate into higher electricity bills for Ohio's consumers."

The tax credit Mr. Cope was referring to exempts tangible personal property used directly in mining. Memos from the Department of Taxation estimate that the break costs the General Revenue Fund \$73.4 million in Fiscal Year 2018 and \$74.3 million in FY 2019. (ODT Analyses)

The Farm Bureau, meanwhile, lobbied for the continuation of credits pertaining to tangible personal property used in agriculture and for the sales and installation of agricultural land tile and portable grain bins.

The former credit lowered GRF revenues by \$331.1 million and \$339.4 million in FY 2018 and 2019, ODT reported. The tile and grain bin concession has a smaller impact at just over \$1 million in each of those years.

"The application of sales tax to input costs of a capital intensive, low profit industry such as agriculture would have significant and severe consequences," said Tony Seegers, the group's director of state policy. "Farm Bureau strongly believes the sales tax exemption must be preserved."

If lawmakers did away with those tax credits, Mr. Seegers said, the higher costs wouldn't immediately be passed onto consumers through costs. Instead, he said farmers themselves would be forced to swallow the change.

"Because prices are dictated by commodity exchanges and global demand, increased costs associated with applying sales tax to inputs will largely be eaten by farmers," he said. "Considering the profit margins we operate on, one can't help to think this would very likely drive some farmers out of business."

The Ohio Council of Retail Merchants submitted written testimony defending an exemption for tangible personal property used in storing, preparing and serving food. ODT estimates a GRF impact of about \$34 million each fiscal year for the biennium due to that exemption.

"This exemption is vital to retailers engaged in providing food products to the general public, as well as to the public served by those retailers who benefit from lower prices as a result," the council argued.

Two other exemptions were on Wednesday's agenda but received no public feedback. They included sales of tangible personal property and services to electricity providers, and TPP used to produce printed materials. In Fiscal Years 2018-2019, those exemptions were expected to cost the GRF \$699.9 million and \$19.7 million respectively, according to ODT.

Wednesday's was the third overall meeting of the committee, which is tasked with reviewing all of Ohio's tax credits over the next eight years. The committee will meet again May 9 to discuss the remaining handful of sales and use tax breaks.

Chairman Sen. Scott Oelslager (R-N. Canton) said he anticipates the May meeting to be the committee's last this spring. The sales and use exemptions examined during the committee's meetings this year will form the basis of its first report this summer, he said.

"I think we're progressing in a manner that will help us make some decisions down the road and hopefully educate the people of Ohio who are watching," Sen. Oelslager said of the committee's work thus far.

The committee is expected to begin reviewing other exemptions heading into 2019 and has eight years to fully review all \$9 billion-plus a year Ohio's tax credits. The panel has already looked at manufacturing, packaging and a handful of other exemptions. (See Gongwer Ohio Report, April 11, 2018)

In general testimony, Zach Schiller, research director for Policy Matters Ohio, told members the legislature should appropriate funding for staff to undertake a more detailed analysis of the genesis of specific credits and how they have been broadened over time.

He also bemoaned that even as the committee continues its review lawmakers are still proposing and considering new tax exemptions through legislation.

"Adding new special-interest breaks is ill-conceived when this committee has barely started looking at the tax exemptions and credits we have now," Mr. Schiller said. "When the General Assembly thinks about giving away tens of millions for new business tax breaks, it should consider whether we have the money to pay for them, and whether the funds would be better spent educating young Ohioans, cutting our high infant-mortality rate, or fighting the opioid epidemic."

Supreme Court Keeps In Place Rulings On Transfer Agreement, Autopsies

The Ohio Supreme Court on Wednesday denied several motions for reconsideration, including in two high-profile cases involving abortion and public records.

In one case, the court declined to reconsider its February ruling that found the Department of Health was justified in revoking the operating license of a Toledo abortion clinic for lack of a written transfer agreement with a "local" hospital.

In the ruling, the court found that Capital Care Network of Toledo violated state administrative code by inking a written transfer agreement with an Ann Arbor hospital, which the ODH deemed to not be local. (See Gongwer Ohio Report, February 6, 2018)

Ohio Right to Life President Mike Gonidakis called on the state to revoke the license of Toledo's only abortion clinic.

"Capital Care Network owes an enormous fine of \$40,000 to the state of Ohio, based upon repeated violations of state law," he said. "The original Ohio Department of Health order remains in effect and in order to reopen, this abortion facility must reapply for a license and pay its fine before aborting anymore children."

However, in a statement of its own NARAL Pro-Choice Ohio called on the ODH to immediately reinstate the license for the clinic.

"This morning, a woman in Toledo woke up with the knowledge that she needed an abortion," Executive Director Kellie Copeland said. "There is a clinic in her community that can offer her safe and professional care. That clinic has met all state requirements to provide abortion services. John Kasich and Mike DeWine are standing in between that woman and this clinic, and they are violating her rights as they do so."

Shortly after the court's original decision, the clinic lined up a last-minute transfer agreement with ProMedica.

The court also declined to reconsider its December decision in which it ruled against two newspapers that sought to compel the release of the final, un-redacted autopsy reports of eight individuals murdered in a single night in April 2016 in a Pike County case that is still unsolved.

The divided court in a 4-3 decision found the records requested by the *Cincinnati Enquirer* and the *Columbus Dispatch* fall under the confidential law enforcement investigatory records exemption. (See Gongwer Ohio Report, December 14, 2017)

The newspapers had argued that under the law final autopsy reports do not qualify for the CLEIR exemption because a coroner is not a law enforcement official.

Justice Terrence O'Donnell and Justice Sharon Kennedy dissented with the ruling on the motion to reconsider.

In a less high-profile case, the court also declined to reconsider its decision not to accept jurisdiction in a case in which a commercial fishing operation alleged that the state's administrative code defining Lake Erie yellow perch management units is unconstitutionally vague. (See Gongwer Ohio Report, July 14, 2017)

High Court Clarifies Appellate Review Of Arbitration Appeals

When an appellate court reviews a lower court ruling on an arbitration decision it should conduct an independent review of the legal claims made on appeal, the Ohio Supreme Court ruled Wednesday.

In a unanimous decision authored by Justice Terrence O'Donnell, the high court determined appellate courts should accept findings of fact by trial courts that are not clearly made in error while reviewing the legal questions raised on appeal.

"When reviewing a trial court's decision to confirm, modify, vacate, or correct an arbitration award, an appellate court should accept findings of fact that are not clearly erroneous but should review questions of law de novo," Justice O'Donnell ruled.

The case stems from a dispute between the Portage County Board of Developmental Disabilities and one of its employees, the high court reported.

Patricia Byttner was hired to serve as an account clerk for the board with the understanding she would fill the role of a bus driver or bus aide in emergency situations.

After her hiring, Ms. Byttner refused a bus aide assignment, citing a pending knee surgery.

Two months later, the board amended her job description, leading to the union representing her to file a grievance. An arbitrator sided with Ms. Byttner and the union.